CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

TENTATIVE ORDER NO. 2001-193

NPDES NO. CAS0108740

WASTE DISCHARGE REQUIREMENTS
FOR DISCHARGES OF URBAN RUNOFF FROM
THE MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)
DRAINING THE WATERSHEDS OF THE
COUNTY OF ORANGE,
THE INCORPORATED CITIES OF ORANGE COUNTY,
AND THE
ORANGE COUNTY FLOOD CONTROL DISTRICT
WITHIN THE SAN DIEGO REGION

The California Regional Water Quality Control Board, San Diego Region (hereinafter SDRWQCB), finds that:

1. **COPERMITTEES ARE DISCHARGERS OF URBAN RUNOFF:** Each of the persons in Table 1 below, hereinafter called Copermittees or dischargers, owns or operates a municipal separate storm sewer system (MS4), through which it discharges urban runoff into waters of the United States within the San Diego Region. The Copermittees serve a population of approximately 500,000 people within the San Diego Region. The MS4s operated by the Copermittees fall into one or more of the following categories: (1) a medium or large MS4 that services a population of greater than 100,000 or 250,000 respectively; or (2) a small MS4 that is "interrelated" to a medium or large MS4; or (3) an MS4 which contributes to a violation of a water quality standard; or (4) an MS4 which is a significant contributor of pollutants to waters of the United States.

Table 1. Municipal Copermittees

1.	City of Aliso Viejo	8.	City of Mission Viejo
2.	City of Dana Point	9.	City of Rancho Santa Margarita
3.	City of Laguna Beach	10.	City of San Clemente
4.	City of Lake Forest	11.	City of San Juan Capistrano
5.	City of Laguna Hills	12.	County of Orange
6.	City of Laguna Niquel	13.	Orange County Flood Control District
7.	City of Laguna Woods		

2. **URBAN RUNOFF IS A "WASTE" AND A "POINT SOURCE DISCHARGE OF POLLUTANTS":** Urban runoff is a waste, as defined in the California Water Code, that contains pollutants and adversely affects the quality of the waters of the State. The discharge of urban runoff from an MS4 is a "discharge of pollutants from a point source" into waters of the United States as defined in the Clean Water Act.

3. **URBAN DEVELOPMENT AND RUNOFF CAUSES RECEIVING WATER DEGRADATION:** Urban runoff discharges from MS4s are a leading cause of receiving water quality impairment in the San Diego Region and throughout the United States. As runoff flows over urban areas, it picks up harmful pollutants such as pathogens, sediment (resulting from human activities), fertilizers, pesticides, heavy metals, and petroleum products. These pollutants often become dissolved or suspended in urban runoff and are conveyed and discharged to receiving waters, such as streams, lakes, lagoons, bays, and the ocean without treatment. Once in receiving waters, these pollutants harm aquatic life primarily through toxicity and habitat degradation. Furthermore, the pollutants can enter the food chain and may eventually enter the tissues of fish and humans.

There is a strong direct correlation between "urbanization" and "impacts to receiving water quality". In general, the more heavily developed the area, the greater the impacts to receiving waters from urban runoff.

These impacts especially threaten environmentally sensitive areas (such as Clean Water Act section 303(d) impaired water bodies, areas designated as Areas of Special Biological Significance, water bodies designated with the RARE beneficial use, riparian or estuarine areas designated by the Copermittees as Critical Aquatic Resources (CARS), and regional parks and preserves containing receiving waters within the Cities and County of Orange). Such environmentally sensitive areas have a much lower capacity to withstand pollutant shocks than might be acceptable in the general circumstance. In essence, urban development that is ordinarily insignificant in its impact on the environment may, in a particularly sensitive environment, be significant.

4. **URBAN DEVELOPMENT INCREASES POLLUTANT LOAD, VOLUME, AND VELOCITY OF RUNOFF:** During urban development two important changes occur. First, natural vegetated pervious ground cover is converted to impervious surfaces such as paved highways, streets, rooftops, and parking lots. Natural vegetated soil can both absorb rainwater and remove pollutants providing a very effective natural purification process. Because pavement and concrete can neither absorb water nor remove pollutants, the natural purification characteristics of the land are lost.

   Secondly, urban development creates new pollution sources as human population density increases and brings with it proportionately higher levels of car emissions, car maintenance wastes, municipal sewage, pesticides, household hazardous wastes, pet wastes, trash, etc. which can either be washed or directly dumped into the MS4.

   As a result of these two changes, the runoff leaving the developed urban area is significantly greater in volume, velocity and pollutant load than the pre-development runoff from the same area.

   The significance of the impacts of urban development on receiving waters is determined by the scope of the project, such as the size of the project, the project land-use type, etc. Large projects (such as commercial developments greater than 100,000 square feet, home subdivisions greater than 10 units, and streets, roads, highways, and freeways) generally have large amounts of impervious surface, and therefore have greater potential to significantly impact receiving waters by increasing erosion (through increased peak flow rates, flow velocities, flow volumes, and flow durations) than smaller projects. Projects of particular land use types also have greater potential to significantly impact receiving waters due to the presence of typically large amounts of pollutants on site or an increased potential for pollutants to move off site (such as automotive repair shops, restaurants, parking lots, streets, roads, highways, and freeways, hillside development, and retail gasoline outlets).

5. **WATER QUALITY DEGRADATION INCREASES WITH PERCENT IMPERVIOUSNESS:** The increased volume and velocity of runoff from developed urban areas greatly accelerates the erosion of downstream natural channels. Numerous studies have demonstrated a direct correlation between the degree of imperviousness of an area and the degradation of its receiving water quality. Significant declines in the biological integrity and physical habitat of streams and other receiving waters have been found to occur with as little as a 10% conversion from natural to impervious surfaces. (Developments of medium density single family homes range between 25 to 60% impervious). Today "% impervious coverage" is believed to be a reliable indicator and predictor of the water quality degradation expected from planned new development.

6. **URBAN RUNOFF IS A HUMAN HEALTH THREAT:** Urban runoff contains pollutants, which threaten human health. Human illnesses have been clearly linked to recreating (i.e., swimming, surfing, etc.) near storm drains flowing to coastal beach waters. Such flows from urban areas often result in the posting or closure of local beaches.

Pollutants transported to receiving waters by urban runoff can also enter the food chain. Once in the food chain they can "bioaccumulate" in the tissues of invertebrates (e.g., mussels, oysters, and lobsters) and fish which may be eventually consumed by humans. Furthermore, some pollutants are also known to "biomagnify". This phenomenon can result in pollutant concentrations in the body fat of top predators that are millions of times greater than the concentrations in the tissues of their lower trophic (food chain) counterparts or in ambient waters.

7. **POLLUTANT TYPES:** The most common categories of pollutants in urban runoff include total suspended solids, sediment (due to anthropogenic activities); pathogens (e.g., bacteria, viruses, protozoa); heavy metals (e.g., copper, lead, zinc and cadmium); petroleum products and polynuclear aromatic hydrocarbons; synthetic organics (e.g., pesticides, herbicides, and PCBs); nutrients (e.g., nitrogen and phosphorus fertilizers), oxygen-demanding substances (decaying vegetation, animal waste), and trash.

8. **URBAN STREAMS AS AN MS4 COMPONENT:** Historic and current development make use of natural drainage patterns and features as conveyances for urban runoff. Urban streams used in this manner are part of the municipalities MS4 regardless of whether they are natural~~, man-made,~~ or partially modified features. In these cases, the urban stream is both an MS4 and a receiving water.

9. **URBAN RUNOFF CAUSES BENEFICIAL USE IMPAIRMENT**: Individually and in combination, the discharge of pollutants and increased flows from MS4s can cause or threaten to cause a condition of pollution (i.e., unreasonable impairment of water quality for designated beneficial uses), contamination, or nuisance. The discharge of pollutants from MS4s can cause the concentration of pollutants to exceed applicable receiving water quality objectives and impair or threaten to impair designated beneficial uses. The discharge of urban runoff may also impact the physical habitat of receiving waters. Significant stream channel incision and bank erosion is a feature common in the Aliso Creek watershed and other drainages in Orange County and may be caused in part by changes in peak flow rates and volumes resulting from urban development. Preliminary results of the Ambient Bioassessment Monitoring Program in Aliso Creek and San Juan Creek in 1998 and 1999 indicate impacts to the benthic community that may be the result of water quality and habitat degradation.

10. **COPERMITTEES IMPLEMENT URBAN RUNOFF MANAGEMENT PROGRAMS (URMPs):** Copermittee implementation of Urban Runoff Management Programs (URMPs) designed to reduce discharges of pollutants and flow into and from MS4s to the maximum extent practicable (MEP) can protect receiving water quality by promoting attainment of water quality objectives necessary to support designated beneficial uses. To be most effective, URMPs must contain both structural and non-structural best management practices (BMPs).

11. **BEST MANAGEMENT PRACTICES (BMPs):** Pollutants can be effectively reduced in urban runoff by the application of a combination of pollution prevention, source control, and treatment control BMPs. Source control BMPs (both structural and non-structural) minimize the contact between pollutants and flows (e.g., rerouting run-on around pollutant sources or keeping pollutants on-site and out of receiving waters). Treatment control (or structural) BMPs remove pollutants from urban runoff. Where feasible, use of BMPs that utilize natural processes should be assessed. These types of BMPs, such as grassy swales and constructed wetlands, can frequently be as effective as less natural BMPs, while providing additional benefits such as aesthetics and habitat.

12. **POLLUTION PREVENTION**: Pollution prevention, the initial reduction/elimination of pollutant generation at its source, is the best "first line of defense" for Copermittees and should be used in conjunction with source control and treatment control BMPs. Pollutants that are never generated do not have to be controlled or treated. Encouragement during planning processes of the use of pollution prevention BMPs can be an effective means for pollution prevention BMPs to be implemented, through such methods as education, landscaping, etc.

13. **RECEIVING WATER LIMITATIONS:** Compliance with receiving water limits based on applicable water quality objectives is necessary to ensure that MS4 discharges will not cause or contribute to violations of water quality objectives and the creation of conditions of pollution.

14. **RECEIVING WATER LIMITATION COMPLIANCE STRATEGY**: Implementation of BMPs cannot ensure attainment of receiving water quality objectives under all circumstances; some BMPs may not prove to be as effective as anticipated. An iterative process of BMP development, implementation, monitoring, and assessment is necessary to assure that an Urban Runoff Management Program is sufficiently comprehensive and effective to achieve compliance with receiving water quality objectives.

15. **COPERMITTEES' RESPONSIBILITY FOR ILLICIT DISCHARGES FROM THIRD PARTIES:** As operators of MS4s, the Copermittees cannot passively receive and discharge pollutants from third parties. By providing free and open access to an MS4 that conveys discharges to the waters of the United States, the operator of an MS4 that does not prohibit and/or control discharges into its system essentially accepts responsibility for those discharges. These discharges may cause or contribute to a condition of contamination or exceedances of receiving water quality objectives.

16. **COPERMITTEES' RESPONSIBILITY BASED ON LAND USE AUTHORITY**: Utilizing their land use authority, Copermittees authorize and realize benefits from the urban development which generates the pollutants and runoff that impair receiving waters. Since the Copermittees utilize their legal authority to authorize urbanization, they must also exercise their legal authority to ensure that the resulting increased pollutant loads and flows do not further degrade receiving waters.

17. **THREE PHASES OF URBAN DEVELOPMENT**: Urban development has three major phases: (1) land use planning for new development; (2) construction; and (3) the "use" or existing development phase. Because the Copermittees authorize, permit, and profit from each of these phases, and because each phase has a profound impact on water quality, the Copermittees have commensurate responsibilities to protect water quality during each phase. In other words, Copermittees are held responsible for the short and long-term water quality consequences of their land use planning, construction, and existing development decisions.

18. **PLANNING PHASE FOR NEW DEVELOPMENT**: Because land use planning and zoning is where urban development is conceived, it is the phase in which the greatest and most cost-effective opportunities to protect water quality exists. When a Copermittee incorporates policies and principles designed to safeguard water resources into its General Plan and development project approval processes, it has taken a far-reaching step towards the preservation of local water resources for future generations.

19. **CONSTRUCTION PHASE**: Construction activities are a significant cause of receiving water impairment. Siltation is currently the largest cause of river impairment in the United States. Sediment runoff rates from construction sites greatly exceed natural erosion rates of undisturbed lands causing siltation and impairment of receiving waters. In addition to requiring implementation of the full range of BMPs, an effective construction runoff program must include local plan review, permit conditions, field inspections, and enforcement.

20. **EXISTING DEVELOPMENT:** The Copermittees' wet weather monitoring results collected during the past decade, as well as volumes of other references in the literature today, confirm substantial pollutant loads to receiving waters in runoff from existing urban development. Implementation of jurisdictional and watershed URMPs, which include extensive controls on existing development, can reduce pollutant loadings over the long term.

21. **CHANGES NEEDED**: Because the urbanization process is a direct and leading cause of water quality degradation in this Region, fundamental changes to existing policies and practices about urban development are needed if the beneficial uses of the San Diego Region's natural water resources are to be protected.

22. **DUAL REGULATION OF INDUSTRIAL AND CONSTRUCTION SITES:** Discharges of runoff from industrial and construction sites in this Region are subject to dual (state and local) regulation. (1) All industries and construction sites are subject to the local permits, plans, and ordinances of the municipal jurisdiction in which it is located. Pursuant to this Order, local (storm water, grading, construction, and use) permits, plans, and ordinances must (a) prohibit the discharge of pollutants and non-storm water into the MS4; and (b) require the routine use of BMPs to reduce pollutants in site runoff. (2) Many industries and construction sites are also subject to regulation under the statewide General Industrial Storm Water Permit or statewide General Construction Storm Water Permit[1]. These statewide general permits are adopted by the State Water Resources Control Board and enforced by the nine Regional Water Quality Control Boards throughout California. Like the Copermittees' local permits and ordinances, the statewide General Industrial and Construction Permits also (a) prohibit the discharge of pollutants and non-storm water; and (b) require the routine use of BMPs to reduce pollutants in site runoff.

    Recognizing that both authorities share a common goal, the federal storm water regulations at 40 CFR 122.26 (and its preamble) call for the dual system to ensure the most effective oversight of industrial and construction site discharges. Under this dual system, each municipal Copermittee is responsible for enforcing its local permits, plans, and ordinances within its jurisdiction. Similarly, the SDRWQCB is responsible for enforcing both statewide general permits and this Order within the San Diego Region.

23. **EDUCATION:** Education is the foundation of every effective URMP and the basis for changes in behavior at a societal level. Education of municipal planning, inspection, and maintenance department staffs is especially critical to ensure that in-house staffs understand how their activities impact water quality, how to accomplish their jobs while protecting water quality, and their specific roles and responsibilities for compliance with this Order. Public education, designed to target various urban land users and other audiences, is also essential to inform the public of how individual actions impact receiving water quality and how these impacts can be minimized. The proposed Drainage Area Management Plan (DAMP) that was submitted to the SDRWQCB by the Orange County Copermittees in September 2000 has a strong emphasis on education measures.

24. **ENFORCING LOCAL LEGAL AUTHORITY**: Enforcement of local urban runoff related ordinances, permits, and plans is an essential component of every URMP and is specifically required in the federal storm water regulations and this Order. Routine inspections provide an effective means by which Copermittees can evaluate compliance with their permits and ordinances. Inspections are especially important at high-risk areas for pollutant discharges such as industrial and construction sites.

    When industrial or construction site discharges occur in violation of local permits and ordinances, the SDRWQCB looks to the municipality that has authorized the discharge for appropriate actions (typically education followed by enforcement where education has been unsuccessful). Each Copermittee must also provide enforcement against illegal discharges from other land uses it has authorized, such as commercial and residential developments.

25. **PUBLIC PARTICIPATION:** Public participation during the URMP development process is necessary to ensure that all stakeholder interests and a variety of creative solutions are considered.

[1] The "statewide General Industrial Storm Water Permit" refers to State Water Resources Control Board Water Quality Order No. 97-03-DWQ National Pollutant Discharge Elimination System General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities. The "statewide General Construction Storm Water Permit" refers to State Water Resources Control Board Order No. 99-08-DWQ National Pollutant Discharge Elimination System General Permit No. CAS000002, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity.

26. **TOXICITY**: Urban runoff discharges from MS4s often contain pollutants that cause toxicity, (i.e., adverse responses of organisms to chemicals or physical agents ranging from mortality to physiological responses such as impaired reproduction or growth anomalies). The water quality objectives for toxicity provided in the Water Quality Control Plan, San Diego Basin, Region 9, (Basin Plan), state in part *"All waters shall be free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life….The survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality factors, shall not be less than that for the same water body in areas unaffected by the waste discharge…"* Urban runoff discharges from MS4s are considered toxic when (1) the toxic effect observed in an acute toxicity test exceeds zero Toxic Units Acute (TUa=0); or (2) the toxic effect observed in a chronic toxicity test exceeds one Toxic Unit Chronic (TUc=1).

27. **FOCUS ON MAN-MADE POLLUTANTS AND FLOWS:** The focus of this Order is on the control of urban runoff pollutants and flows, which are either generated or accelerated by human activities. This Order is not meant to control background or naturally occurring pollutants and flows.

28. **COMMON WATERSHEDS AND CWA SECTION 303(d) IMPAIRED WATERS**: The Copermittees discharge urban runoff into lakes, streams, creeks, bays, the Pacific Ocean, and tributaries thereto within six hydrologic areas within Orange County as shown in Table 2 below. During its downstream course, urban runoff is conveyed through lined and unlined (natural, manmade, and partially modified) channels, all of which are defined as components of the Copermittees' MS4.

    Some of the receiving water bodies listed below, which receive or convey urban runoff discharges, have been designated as impaired by the SDRWQCB and USEPA in 1998 pursuant to Clean Water Act section 303(d). Additional water bodies may be listed during the term of this Order pursuant to Clean Water Act section 303(d) as impaired as more information is collected and analyzed.

Table 2. Watershed Management Areas (WMAs)

SDRWQCB WATERSHED MANAGEMENT AREA (WMA)	HYDROLOGIC UNIT(S)	MAJOR SURFACE WATER BODIES	303(d) POLLUTANT(S) OF CONCERN OR WATER QUALITY EFFECT	COPERMITTEES
San Juan Creek WMA	San Juan Hydrologic Unit (901.00)	Moro Canyon Creek Laguna Canyon Creek Aliso Creek English Canyon Creek Sulphur Creek Wood Canyon Creek Salt Creek San Juan Creek Bell Canyon Creek Canada Gobernadora Arroyo Trabuco Oso Creek Prima Deshecha Canada Segunda Deshecha Canada Pacific Ocean	1. Coliform Bacteria	1. County of Orange 2. City of Aliso Viejo 3. City of Dana Point 4. City of Laguna Beach 5. City of Lake Forest 6. City of Laguna Hills 7. City of Laguna Niguel 8. City of Laguna Woods 9. City of Mission Viejo 10. City of Rancho Santa Margarita 11. City of San Juan Capistrano 12. City of San Clemente 13. Orange County Flood Control District

29. **CUMULATIVE POLLUTANT LOAD CONTRIBUTIONS:** Because they are interconnected, each MS4 within a watershed contributes to the cumulative pollutant loading, volume, and velocity of urban runoff and the ensuing degradation of downstream receiving water bodies. Accordingly, inland MS4s contribute to coastal impairments.

30. **LAND USE PLANNING ON A WATERSHED SCALE**: Because urban runoff does not recognize political boundaries, "watershed-based" land use planning (pursued collaboratively by neighboring local governments) can greatly enhance the protection of shared natural water resources. Such

planning enables multiple jurisdictions to work together to plan for both development and resource conservation that can be environmentally as well as economically sustainable.

31. **INTERGOVERNMENTAL COORDINATION:** Within their common watersheds it is essential for the Copermittees to coordinate their water quality protection and land use planning activities to achieve the greatest protection of receiving water bodies. Copermittee coordination with other watershed stakeholders, especially CALTRANS and the Department of Defense is also critical.

    Establishment of a management structure, within which the Copermittees subject to this Order, will fund and coordinate those aspects of their joint obligations will promote implementation of Urban Runoff Management Programs on a watershed and regional basis in the most cost effective manner.

32. **WASTE REMOVAL:** Waste and pollutants which are deposited and accumulate in MS4 drainage structures will be discharged from these structures to waters of the United States unless they are removed. These discharges may cause or contribute to, or threaten to cause or contribute to, a condition of pollution in receiving waters. Once removed, such accumulated wastes must be characterized and lawfully disposed.

33. **CHANGING THE STORM WATER MANAGEMENT APPROACH**: In contrast to the conventional "conveyance" approach, a more natural approach to storm water management seeks to filter and infiltrate runoff by allowing it to flow slowly over permeable vegetated surfaces. By "preserving and restoring the natural hydrologic cycle", filtration and infiltration can greatly reduce the volume/peak rate, velocity, and pollutant loads of urban runoff. The greatest opportunities for changing from a "conveyance" to a more natural management approach occur during the land use planning and zoning processes and when new development projects are under early design.

34. **INFILTRATION AND POTENTIAL GROUNDWATER CONTAMINATION:** Any drainage feature that infiltrates runoff poses some risk of potential groundwater contamination. Although dependent on several factors, the risks typically associated with properly managed infiltration of runoff (especially from residential land use areas) are not significant. The risks associated with infiltration can be managed by many techniques, including (1) designing landscape drainage features that promote infiltration of runoff, but do not "inject" runoff (injection bypasses the natural processes of filtering and transformation that occur in the soil); (2) taking reasonable steps to prevent the illegal disposal of wastes; and (3) ensuring that each drainage feature is adequately maintained in perpetuity. Minimum conditions needed to protect groundwater are specified in section F.1.b. of this Order.

35. **VECTOR CONTROL:** Certain BMPs implemented or required by municipalities for urban runoff management may create a habitat for vectors (e.g. mosquitoes and rodents) if not properly designed or maintained. Close collaboration and cooperative effort between municipalities and local vector control agencies and the State Department of Health Services during the development and implementation of the Urban Runoff Management Programs is necessary to minimize nuisances and public health impacts resulting from vector breeding.

36. **LEGAL AUTHORITY:** This Order is based on the federal Clean Water Act, the Porter-Cologne Water Quality Control Act (Division 7 of the Water Code, commencing with Section 13000), applicable state and federal regulations, all applicable provisions of statewide Water Quality Control Plans and Policies adopted by the State Water Resources Control Board, the Regional Water Quality Control Plan (Basin Plan) adopted by the Regional Board, the California Toxics Rule, and the California Toxics Rule Implementation Plan.

37. **TOTAL MAXIMUM DAILY LOADS (TMDLs):** 40 CFR 122.44 (d)(vii)(B) requires that NPDES permits contain effluent limitations that are consistent with waste load allocations developed under a TMDL. Several TMDLs are being developed in the San Diego Region for impaired water bodies that receive Copermittees' discharge. Once these TMDLs are approved by the SDRWQCB and

USEPA, Copermittees' discharge of urban runoff into an impaired water body will be subject to load allocations established by the TMDLs. This Order may be revised by the Regional Board to implement the TMDL waste load allocations for specific water bodies within the Orange County watersheds.

38. **ANTIDEGRADATION:** Conscientious implementation of URMPs that satisfy the requirements contained in this Order will reduce the likelihood that discharges from MS4s will cause or contribute to unreasonable degradation of the quality of receiving waters. Therefore, this Order is in conformance with SWRCB Resolution No. 68-16 and the federal antidegradation policy described in 40 CFR 131.12.

39. **CEQA:** The issuance of waste discharge requirements for the discharge of urban runoff from MS4s to waters of the United States is exempt from the requirement for preparation of environmental documents under the California Environmental Quality Act (CEQA) (Public Resources Code, Division 13, Chapter 3, § 21000 et seq.) in accordance with the CWC § 13389.

40. **COMMON INTEREST DEVELOPMENTS AND HOMEOWNERS ASSOCIATIONS:** Common interest developments occur within the jurisdiction of the Copermittees. Commonly owned areas can include those used to convey urban runoff. State Law (Civil code 1350-1376) requires that an association be established to manage the commonly owned areas. Urban runoff from storm water conveyance systems within common interest developments is discharged to receiving waters and/or MS4s. This runoff is expected to have water quality and quantity characteristics similar to runoff from areas of similar land use and drainage area.

41. **REPORT OF WASTE DISCHARGE:** In September 2000, the Orange County Copermittees submitted a Report of Waste Discharge and a proposed Drainage Area Management Plan (DAMP) for 2001-2006 to the SDRWQCB. ~~The SDRWQCB has determined the implementation of proposed DAMP would be inadequate to reduce pollutants in the discharge of urban runoff to the maximum extent practicable (MEP) and to protect the beneficial uses of the receiving waters of Orange County within the San Diego Region.~~

42. **PUBLIC NOTICE:** The SDRWQCB has notified the Copermittees, all known interested parties, and the public of its intent to consider adoption of an Order prescribing waste discharge requirements that would serve to renew an NPDES permit for the existing discharge of urban runoff.

43. **PUBLIC HEARING**: The SDRWQCB has, at a public meeting on September 12, 2001, held a public hearing and heard and considered all comments pertaining to the terms and conditions of this Order.

IT IS HEREBY ORDERED that the Copermittees, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act and regulations adopted thereunder, shall each comply with the following:

A. PROHIBITIONS -- DISCHARGES

1. Discharges into and from MS4s in a manner causing, or threatening to cause, a condition of pollution, contamination, or nuisance (as defined in CWC § 13050), in waters of the state are prohibited.

2. Discharges from MS4s that cause or contribute to exceedances of receiving water quality objectives for surface water or groundwater are prohibited.

3. ~~Discharges into and from MS4s containing pollutants which have not been reduced to the maximum extent practicable (MEP) are prohibited.~~

4. In addition to the above prohibitions, discharges from MS4s are subject to all Basin Plan prohibitions cited in **Attachment A** to this Order.

B. PROHIBITIONS -- NON-STORM WATER DISCHARGES

1. Each Copermittee shall effectively prohibit **all** types of non-storm water discharges into its Municipal Separate Storm Sewer System (MS4) unless such discharges are either authorized by a separate NPDES permit; or not prohibited in accordance with B.2. and B.3. below.

2. Pursuant to 40 CFR 122.26(d)(2)(iv)(B)(1), the following categories of non-storm water discharges need only be prohibited from entering an MS4 if such categories of discharges are identified by the Copermittee as a significant source of pollutants to waters of the United States:

   a. Diverted stream flows;
   b. Rising ground waters;
   c. Uncontaminated ground water infiltration [as defined at 40 CFR 35.2005(20)] to MS4s;
   d. Uncontaminated pumped ground water;
   e. Foundation drains;
   f. Springs;
   g. Water from crawl space pumps;
   h. Footing drains;
   i. Air conditioning condensation;
   j. Flows from riparian habitats and wetlands;
   k. Water line flushing;
   l. Landscape irrigation;
   m. Discharges from potable water sources other than water main breaks;
   n. Irrigation water;
   o. Lawn watering;
   p. Individual residential car washing; and
   q. Dechlorinated swimming pool discharges.

3. When a discharge category above is identified as a significant source of pollutants to waters of the United States, the Copermittee shall either:

   a. Prohibit the discharge category from entering its MS4; ***OR***

   b. Not prohibit the discharge category and implement, or require the responsible party(ies) to implement, BMPs which will reduce pollutants to the MEP; ***AND***

   c. For each discharge category not prohibited, the Copermittee shall submit the following information to the SDRWQCB within **365 days** of adoption of this Order:

      (1) The non-storm water discharge category listed above which the Copermittee elects not to prohibit; and

      (2) The BMP(s) for each discharge category listed above which the Copermittee will implement, or require the responsible party(ies) to implement, to prevent or reduce pollutants to the MEP.

4. **Fire Fighting Flows:** Emergency fire fighting flows (i.e., flows necessary for the protection of life or property) do not require BMPs and need not be prohibited. As part of the Jurisdictional URMP, each Copermittee shall develop and implement a program within 365 days of adoption of this Order to reduce pollutants from non-emergency fire fighting flows (i.e., flows from controlled or practice blazes and maintenance activities) identified by the Copermittee to be significant sources of

pollutants to waters of the United States.

5. **Dry Weather Monitoring and Non-Storm Water Discharges:** Each Copermittee shall examine all dry weather monitoring results collected in accordance with section F.5. and Attachment E of this Order to identify water quality problems which may be the result of any non-prohibited discharge category(ies) identified above in Non-Storm Water Discharges to MS4s Prohibition B.2. Follow-up investigations shall be conducted as necessary to identify and control any non-prohibited discharge category(ies) listed above.

C. RECEIVING WATER LIMITATIONS

1. Discharges from MS4s that cause or contribute to the violation of water quality standards (designated beneficial uses and water quality objectives developed to protect beneficial uses) are prohibited.

2. Each Copermittee shall comply with Part C.1. of this Order through timely implementation of control measures and other actions to reduce pollutants in urban runoff discharges in accordance with the Jurisdictional Urban Runoff Management Program (Jurisdictional URMP) and other requirements of this Order including any modifications. The Jurisdictional URMP shall be designed to achieve compliance with Part C.1. of this Order. If exceedance(s) of water quality standards persist notwithstanding implementation of the URMP and other requirements of this Order, the Copermittee shall assure compliance with Part C.1. of this Order by complying with the following procedure:

   a. Upon a determination by either the Copermittee or the SDRWQCB that MS4 discharges are causing or contributing to an exceedance of an applicable water quality standard, the Copermittee shall promptly notify and thereafter submit a report to the SDRWQCB that describes BMPs that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedance of water quality standards. The report may be incorporated in the annual update to the Jurisdictional URMP unless the SDRWQCB directs an earlier submittal. The report shall include an implementation schedule. The SDRWQCB may require modifications to the report;

   b. Submit any modifications to the report required by the SDRWQCB within 30 days of notification;

   c. Within 30 days following approval of the report described above by the SDRWQCB, the Copermittee shall revise its Jurisdictional URMP and monitoring program to incorporate the approved modified BMPs that have been and will be implemented, the implementation schedule, and any additional monitoring required;

   d. Implement the revised Jurisdictional URMP and monitoring program in accordance with the approved schedule.

   So long as the Copermittee has complied with the procedures set forth above and are implementing the revised Jurisdictional URMP, the Copermittee does not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the SDRWQCB to do so.

3. Nothing in this section shall prevent the SDRWQCB from enforcing any provision of this Order while the Copermittee prepares and implements the above report.

D. LEGAL AUTHORITY

1. Each Copermittee shall establish, maintain, and enforce adequate legal authority to control pollutant discharges **into** and **from** its MS4 through ordinance, statute, permit, contract or similar means. This legal authority must, at a minimum, authorize the Copermittee to:

a. Control the contribution of pollutants in discharges of runoff associated with industrial and construction activity **to** its MS4 and control the quality of runoff **from** industrial and construction sites. This requirement applies both to industrial and construction sites that have coverage under the statewide general industrial or construction storm water permits, as well as to those sites that do not. Grading ordinances shall be upgraded and enforced as necessary to comply with this Order.

b. Prohibit **all** identified illicit discharges not otherwise allowed pursuant to section B.2 including but not limited to:

(1) Sewage;

(2) Discharges of wash water resulting from the hosing or cleaning of gas stations, auto repair garages, or other types of automotive services facilities;

(3) Discharges resulting from the cleaning, repair, or maintenance of any type of equipment, machinery, or facility including motor vehicles, cement-related equipment, and port-a-potty servicing, etc.;

(4) Discharges of wash water from mobile operations such as mobile automobile washing, steam cleaning, power washing, and carpet cleaning, etc.;

(5) Discharges of wash water from the cleaning or hosing of impervious surfaces in municipal, industrial, commercial, and residential areas including parking lots, streets, sidewalks, driveways, patios, plazas, work yards and outdoor eating or drinking areas, etc.;

(6) Discharges of runoff from material storage areas containing chemicals, fuels, grease, oil, or other hazardous materials;

(7) Discharges of pool or fountain water containing chlorine, biocides, or other chemicals; discharges of pool or fountain filter backwash water;

(8) Discharges of sediment, pet waste, vegetation clippings, or other landscape or construction-related wastes; and

(9) Discharges of food-related wastes (e.g., grease, fish processing, and restaurant kitchen mat and trash bin wash water, etc.).

c. Prohibit and eliminate illicit connections to the MS4;

d. Control the discharge of spills, dumping, or disposal of materials other than storm water to its MS4;

e. Require compliance with conditions in Copermittee ordinances, permits, contracts or orders (i.e., hold dischargers to its MS4 accountable for their contributions of pollutants and flows);

f. Utilize enforcement mechanisms to require compliance with Copermittee storm water ordinances, permits, contracts, or orders;

g. Control the contribution of pollutants from one portion of the shared MS4 to another portion of the MS4 through interagency agreements among Copermittees. Control of the contribution of pollutants from one portion of the shared MS4 to another portion of the MS4 through interagency agreements with other owners of the MS4 such as CALTRANS, Native American Tribes, and the Department of Defense is encouraged;

h. Carry out all inspections, surveillance, and monitoring necessary to determine compliance and noncompliance with local ordinances and permits and with this Order, including the prohibition on illicit discharges to the MS4. This means the Copermittee must have authority to enter, sample, inspect, review and copy records, and require regular reports from industrial facilities discharging into its MS4, including construction sites; and

i. Require the use of best management practices (BMPs) to prevent or reduce the discharge of pollutants to MS4s.

2. Within **365 days** of adoption of this Order, each Copermittee shall provide to the SDRWQCB a statement certified by its chief legal counsel that the Copermittee has adequate legal authority to implement and enforce each of the requirements contained in 40 CFR 122.26(d)(2)(i)(A-F) and this Order. This statement shall include:

a. Identification of all departments within the jurisdiction that conduct urban runoff related activities, and their roles and responsibilities under this Order. Include an up to date organizational chart specifying these departments and key personnel.

b. Citation of urban runoff related ordinances and the reasons they are enforceable;

c. Identification of the local administrative and legal procedures available to mandate compliance with urban runoff related ordinances and therefore with the conditions of this Order;

d. Description of how these ordinances are implemented and appealed; and

e. Description of whether the municipality can issue administrative orders and injunctions or if it must go through the court system for enforcement actions.

E. TECHNOLOGY BASED STANDARDS

Each Copermittee shall implement, or require implementation of, best management practices to ensure that the following pollutant discharges **into** and **from** its MS4 are reduced to the applicable technology based standard as specified below:

Table 3. Technology Based Standards[2]

POLLUTANT DISCHARGE FROM	DESCRIPTION	APPLICABLE PERFORMANCE STANDARD
Industrial Activity owned by the Copermittee	Categorical Industry in 40 CFR 122.26	BAT/BCT (pursuant to Statewide General Industrial Permit)
Industrial Activity	All other industry	MEP
Construction Activity owned by the Copermittee	Greater than or Equal to 5 Acres (or less than 5 acres and Part of a Larger Common Plan of Sale or Development)	BAT/BCT (pursuant to Statewide General Construction Permit)
Construction Activity	All Other construction	MEP

[2] Pursuant to this Order, each Copermittee shall ensure that pollutants in runoff from industrial and construction sites within its jurisdiction have been reduced to the MEP standard before entering its MS4. The industrial and construction site dischargers themselves however must ensure that pollutants in runoff leaving their sites have been reduced to the BAT/BCT standard pursuant to either the statewide General Industrial or Construction Storm Water Permit. Runoff from industrial and construction sites owned by municipalities and subject to either the General Industrial or Construction Storm Water Permits, must meet the BAT/BCT standard.

POLLUTANT DISCHARGE FROM	DESCRIPTION	APPLICABLE PERFORMANCE STANDARD
Other Sources	All Other Land Use Activities	MEP
MS4s	All discharges from MS4s	MEP

F. JURISDICTIONAL URBAN RUNOFF MANAGEMENT PROGRAM`

Each Copermittee shall take appropriate actions to reduce discharges of pollutants and runoff flow during each of the three major phases of urban development, i.e., the planning, construction, and existing development (or use) phases. Following the adoption of the Order and prior to the full implementation of the Jurisdictional URMP, each Copermittee shall at a minimum implement the provisions and commitments of the proposed DAMP submitted in September 2000.

Each Copermittee shall implement a Jurisdictional Urban Runoff Management Program (Jurisdictional URMP) that contains the components shown below as described in Sections F.1. through F.8:

F.1. Land-Use Planning for New Development and Redevelopment Component
F.2. Construction Component
F.3. Existing Development Component
- **a. Municipal**
- **b. Industrial**
- **c. Commercial**
- **d. Residential**

F.4. Education Component
F.5. Illicit Discharge Detection and Elimination Component
F.6. Common Interest Areas and Homeowners Associations
F.7. Public Participation Component
F.8. Assessment of Jurisdictional URMP Effectiveness Component
F.9. Fiscal Analysis Component

F.1. Land-Use Planning for New Development and Redevelopment Component

Each Copermittee shall minimize the short and long-term impacts on receiving water quality from new development and redevelopment. In order to reduce pollutants and runoff flows from new development and redevelopment to the maximum extent practicable, each Copermittee shall at a minimum:

F.1.a Assess General Plan
F.1.b Modify Development Project Approval Processes
F.1.c Revise Environmental Review Processes
F.1.d Conduct Education Efforts Focused on New Development and Redevelopment

F.1.a. Assess General Plan

Each Copermittee's General Plan or equivalent plan (e.g., Comprehensive, Master, or Community Plan) shall include water quality and watershed protection principles and policies to direct land-use decisions and require implementation of consistent water quality protection measures for development projects. As part of its Jurisdictional Urban Runoff Management Program document, each Copermittee shall provide a workplan with time schedule detailing any changes to its General Plan regarding water quality and watershed protection. Examples of water quality and watershed

protection principles and policies to be considered include the following:

(1) Minimize the amount of impervious surfaces and directly connected impervious surfaces in areas of new development and redevelopment and where feasible slow runoff and maximize on-site infiltration of runoff.

(2) Implement pollution prevention methods supplemented by pollutant source controls and treatment. Use small collection strategies located at, or as close as possible to, the source (i.e., the point where water initially meets the ground) to minimize the transport of urban runoff and pollutants offsite and into an MS4.

(3) Preserve, and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones. Encourage land acquisition of such areas.

(4) Limit disturbances of natural water bodies and natural drainage systems caused by development including roads, highways, and bridges.

(5) Prior to making land use decisions, utilize methods available to estimate increases in pollutant loads and flows resulting from projected future development. Require incorporation of structural and non-structural BMPs to mitigate the projected increases in pollutant loads and flows.

(6) Avoid development of areas that are particularly susceptible to erosion and sediment loss; or establish development guidance that identifies these areas and protects them from erosion and sediment loss.

(7) Reduce pollutants associated with vehicles and increasing traffic resulting from development. Coordinate local traffic management reduction efforts with Orange County Transit Authority's Congestion Management Plan.

(8) Post-development runoff from a site shall not contain pollutant loads that cause or contribute to an exceedance of receiving water quality objectives or which have not been reduced to the maximum extent practicable.

F.1.b. Modify Development Project Approval Processes

Prior to project approval and issuance of local permits, Copermittees shall require each proposed project to implement measures to ensure that pollutants and runoff from the development will be reduced to the maximum extent practicable and will not cause or contribute to an exceedance of receiving water quality objectives. Each Copermittee shall further ensure that all development will be in compliance with Copermittee storm water ordinances, local permits, all other applicable ordinances and requirements, and this Order.

(1) Development Project Requirements

Each Copermittee shall include development project requirements in local permits to ensure that pollutant discharges and runoff flows from development are reduced to the maximum extent practicable and that receiving water quality objectives are not violated throughout the life of the project. Such requirements shall, at a minimum:

(a) Require project proponent to implement source control BMPs for all applicable development projects.
(b) Require project proponent to implement site design/landscape characteristics where feasible which maximize infiltration, provide retention, slow runoff, and minimize impervious land coverage for all development projects.

(c) Require project proponent to implement buffer zones for natural water bodies, where feasible. Where buffer zone implementation is infeasible, require project proponent to implement other buffers such as trees, lighting restrictions, access restrictions, etc.

(d) Require industrial applicants subject to California's statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities (Except Construction), (hereinafter General Industrial Permit), to provide evidence of coverage under the General Industrial Permit.

(e) Require project proponent to ensure its grading or other construction activities meet the provisions specified in Section F.2. of this Order.

(f) Require project proponent to provide proof of a mechanism which will ensure ongoing long-term maintenance of all structural post-construction BMPs.

(2) Standard Urban Storm Water Mitigation Plans (SUSMPs)

Within 365 days of adoption of this Order, the Copermittees shall collectively develop a model Standard Urban Storm Water Mitigation Plan (SUSMP) to reduce pollutants and runoff flows from all new development and significant redevelopment projects falling under the priority project categories or locations listed in section F.1.b.(2)(a) below. The Copermittess shall submit the model SUSMP to the SDRWQCB. Within 180 days of development of the model SUSMP, each Copermittee shall adopt its own local SUSMP, and amended ordinances consistent with the model SUSMP, and shall submit both (local SUSMP and amended ordinances) to the SDRWQCB.

Immediately following adoption of its local SUSMP, each Copermittee shall ensure that all new development and significant redevelopment projects falling under the priority project categories or locations listed in F.1.b.(2)(a) below meet SUSMP requirements. The SUSMP requirements shall apply to all priority projects or phases of priority projects that have not yet begun grading or construction activities. If a Copermittee determines that lawful prior approval of a project exists, whereby application of SUSMP requirements to the project is infeasible, SUSMP requirements need not apply to the project. Where feasible, the Copermittees shall utilize the 18-month SUSMP implementation period to ensure that projects undergoing approval processes include application of SUSMP requirements in their plans.

(a) *Priority Development Project Categories - SUSMP requirements shall apply to all new development and significant redevelopment projects falling under the priority project categories or locations listed below.* Significant redevelopment is defined as the creation or addition of at least 5,000 square feet of impervious surfaces on an already developed site. Significant redevelopment includes, but is not limited to: the expansion of a building footprint or addition or replacement of a structure; structural development including an increase in gross floor area and/or exterior construction or remodeling; replacement of impervious surface that is not part of a routine maintenance activity; and land disturbing activities related with structural or impervious surfaces. Where significant redevelopment results in an increase of less than fifty percent of the impervious surfaces of a previously existing development, and the existing development was not subject to SUSMP requirements, the numeric sizing criteria discussed in section F.1.b.(2)(c) applies only to the addition, and not to the entire development.

i. *Home subdivisions of 100 housing units or more*. This category includes single-family homes, multi-family homes, condominiums, and apartments.

ii. *Home subdivisions of 10-99 housing units*. This category includes single-family homes, multi-family homes, condominiums, and apartments.

iii. *Commercial developments greater than 100,000 square feet*. This category is defined as any development on private land that is not for heavy industrial or

residential uses where the land area for development is greater than 100,000 square feet. The category includes, but is not limited to: hospitals; laboratories and other medical facilities; educational institutions; recreational facilities; commercial nurseries; multi-apartment buildings; car wash facilities; mini-malls and other business complexes; shopping malls; hotels; office buildings; public warehouses; automotive dealerships; commercial airfields; and other light industrial facilities.

iv. *Automotive repair shops.* This category is defined as a facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.

v. *Restaurants*. This category is defined as a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC code 5812), where the land area for development is greater than 5,000 square feet. Restaurants where land development is less than 5,000 square feet shall meet all SUSMP requirements except for structural treatment BMP and numeric sizing criteria requirement F.1.b.(2)(c) and peak flow rate requirement F.1.b(2)(b)(i).

vi. *All hillside development greater than 5,000 square feet.* This category is defined as any development which creates 5,000 square feet of impervious surface which is located in an area with known erosive soil conditions, where the development will grade on any natural slope that is twenty-five percent or greater.

vii. *Environmentally Sensitive Areas: All development and redevelopment located within or directly adjacent to or discharging directly to an environmentally sensitive area (where discharges from the development or redevelopment will enter receiving waters within the environmentally sensitive area), which either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition.* Environmentally sensitive areas include but are not limited to all Clean Water Act Section 303(d) impaired water bodies; areas designated as Areas of Special Biological Significance by the State Water Resources Control Board (Water Quality Control Plan for the San Diego Basin (1994) and amendments); water bodies designated with the RARE beneficial use by the State Water Resources Control Board (Water Quality Control Plan for the San Diego Basin (1994) and amendments); areas in the Natural Community Conservation Planning Program ; and any areas designated as Critical Aquatic Resources (CARS) or other equivalent environmentally sensitive areas which have been identified by the Copermittees. “Directly adjacent” means situated within 200 feet of the environmentally sensitive area. “Discharging directly to” means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.

viii. *Parking lots 5,000 square feet or more or with 15 or more parking spaces and potentially exposed to urban runoff*. Parking lot is defined as a land area or facility for the temporary parking or storage of motor vehicles used personally, for business, or for commerce.

ix. *Street, roads, highways, and freeways.* This category includes any paved surface that is 5,000 square feet or greater used for the transportation of

automobiles, trucks, motorcycles, and other vehicles.

x. *Retail Gasoline Outlets 5,000 square feet or more.* Retail Gasoline Outlet is defined as any facility engaged in selling gasoline.

(b) BMP Requirements – The SUSMP shall include a list of recommended source control and structural treatment BMPs. The SUSMP shall require all new development and significant redevelopment projects falling under the above priority project categories or locations to implement a combination of BMPs selected from the recommended BMP list, including at a minimum (1) source control BMPs and (2) structural treatment BMPs. The BMPs shall, at a minimum:

i. Control the post-development peak storm water runoff discharge rates and velocities to maintain or reduce pre-development downstream erosion, and to protect stream habitat;
ii. Conserve natural areas where feasible;
iii. Minimize storm water pollutants of concern in urban runoff from the new development or significant redevelopment (through implementation of source control BMPs). Identification of pollutants of concern should include at a minimum consideration of any pollutants for which water bodies receiving the development's runoff are listed as impaired under Clean Water Act section 303(d), any pollutant associated with the land use type of the development, and any pollutant commonly associated with urban runoff;
iv. Remove pollutants of concern from urban runoff (through implementation of structural treatment BMPs);
v. Minimize directly connected impervious areas where feasible;
vi. Protect slopes and channels from eroding;
vii. Include storm drain stenciling and signage;
viii. Include properly designed outdoor material storage areas;
ix. Include properly designed trash storage areas;
x. Include proof of a mechanism, to be provided by the project proponent or Copermittee, which will ensure ongoing long-term structural BMP maintenance;
xi. Include additional water quality provisions applicable to individual priority project categories;
xii. Be correctly designed so as to remove pollutants to the maximum extent practicable;
xiii. Be implemented close to pollutant sources, when feasible, and prior to discharging into receiving waters supporting beneficial uses; and
xiv. Ensure that post-development runoff does not contain pollutant loads which cause or contribute to an exceedance of water quality objectives or which have not been reduced to the maximum extent practicable.

(c) Numeric Sizing Criteria – The SUSMP shall require structural treatment BMPs to be implemented for all priority development projects. All structural treatment BMPs shall be located so as to infiltrate, filter, or treat the required runoff volume or flow prior to its discharge to any receiving water body supporting beneficial uses. Structural treatment BMPs may be shared by multiple new development projects as long as construction of any shared structural treatment BMPs is completed prior to the use of any new development project from which the structural treatment BMP will receive runoff.

In addition to meeting the BMP requirements listed in item F.1.b.(2)(b) above, all structural treatment BMPs for a single priority development project shall collectively be sized to comply with the following numeric sizing criteria:

Volume

Volume-based BMPs shall be designed to mitigate (infiltrate, filter, or treat) either:

i. The volume of runoff produced from a 24-hour 85th percentile storm event, as determined from the local historical rainfall record (0.8 inch approximate average for the Orange County area);[3] or

ii. The volume of runoff produced by the 85th percentile 24-hour rainfall event, determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or

iii. The volume of annual runoff based on unit basin storage volume, to achieve 90% or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/Commercial, (1993); or

iv. The volume of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile 24-hour runoff event;[4]

OR

Flow

Flow-based BMPs shall be designed to mitigate (infiltrate, filter, or treat) either:

i. The maximum flow rate of runoff produced from a rainfall intensity of 0.2 inch of rainfall per hour; or

ii. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from the local historical rainfall record, multiplied by a factor of two; or

iii. The maximum flow rate of runoff, as determined from the local historical rainfall record, that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 85th percentile hourly rainfall intensity multiplied by a factor of two.

(d) Equivalent Numeric Sizing Criteria - The Copermittees may develop, as part of the model SUSMP, any equivalent method for calculating the volume or flow which must be mitigated (i.e., any equivalent method for calculating numeric sizing criteria) by post-construction structural treatment BMPs. Such equivalent sizing criteria may be authorized by the SDRWQCB for use in place of the above criteria. In the absence of development and subsequent authorization of such equivalent numeric sizing criteria, the above numeric sizing criteria requirement shall be implemented.

[3] This volume is not a single volume to be applied to all of Orange County. The size of the 85th percentile storm event is different for various parts of the County. The Copermittees are encouraged to calculate the 85th percentile storm event for each of their jurisdictions using local rain data pertinent to their particular jurisdiction (the 0.8 inch standard is a rough average for the County and should only be used where appropriate rain data is not available). In addition, isopluvial maps may be used to extrapolate rainfall data to areas where insufficient data exists in order to determine the volume of the local 85th percentile storm event in such areas. Where the Copermittees will use isopluvial maps to determine the 85th percentile storm event in areas lacking rain data, the Copermittees shall describe their method for using isopluvial maps in the model and local SUSMPs.

[4] Under this volume criteria, hourly rainfall data may be used to calculate the 85th percentile storm event, where each storm event is identified by its separation from other storm events by at least six hours of no rain. Where the Copermittees may use hourly rainfall data to calculate the 85th percentile storm event, the Copermittees shall describe their method for using hourly rainfall data to calculate the 85th percentile storm event in the model and local SUSMPs.

(e) Pollutants or Conditions of Concern – As part of the model SUSMP, the Copermittees shall develop a procedure for pollutants or conditions of concern to be identified for each new development or significant redevelopment project. The procedure shall include, at a minimum, consideration of (1) receiving water quality (including pollutants for which receiving waters are listed as impaired under Clean Water Act section 303(d)); (2) land use type of the development project and pollutants associated with that land use type; (3) pollutants expected to be present on site; (4) changes in storm water discharge flow rates, velocities, durations, and volumes resulting from the development project; and (5) sensitivity of receiving waters to changes in storm water discharge flow rates, velocities, durations, and volumes.

(f) Implementation Process – As part of the model SUSMP, the Copermittees shall develop a process by which SUSMP requirements will be implemented. The process shall identify at what point in the planning process development projects will be required to meet SUSMP requirements. The process shall also include identification of the roles and responsibilities of various municipal departments in implementing the SUSMP requirements, as well as any other measures necessary for the implementation of SUSMP requirements.

(g) Waiver Provision – A Copermittee may provide for a project to be waived from the requirement of implementing all structural treatment BMPs (F.1.b.(2)(b) & F.1.b.(2)(c)) if infeasibility can be established. A waiver of infeasibility shall only be granted by a Copermittee when all available structural treatment BMPs have been considered and rejected as infeasible. Copermittees shall notify the SDRWQCB within 5 days of each waiver issued and shall include the name of the person granting each waiver.

As part of the model SUSMP, the Copermittees may develop a program to require project proponents who have received waivers to transfer the savings in cost, as determined by the Copermittee(s), to a storm water mitigation fund. This program may be implemented by all Copermittees that choose to provide waivers. Funds may be used on projects to improve urban runoff quality within the watershed of the waived project. The waiver program may identify:

i. The entity or entities that will manage the storm water mitigation fund (i.e., assume full responsibility for)
ii. The range and types of acceptable projects for which mitigation funds may be expended;
iii. The entity or entities that will assume full responsibility for each mitigation project including its successful completion
iv. How the dollar amount of fund contributions will be determined.

(h) Infiltration and Groundwater Protection – To protect groundwater quality, each Copermittee shall apply restrictions to the use of structural treatment BMPs which are designed to primarily function as infiltration devices (such as infiltration trenches and infiltration basins). Such restrictions shall ensure that the use of such infiltration structural treatment BMPs shall not cause or contribute to an exceedance of groundwater quality objectives. At a minimum, use of structural treatment BMPs which are designed to primarily function as infiltration devices shall meet the following conditions:[5]

i. Urban runoff shall undergo pretreatment such as sedimentation or filtration prior to infiltration.

[5] These conditions do not apply to structural treatment BMPs which allow incidental infiltration and are not designed to primarily function as infiltration devices (such as grassy swales, detention basins, vegetated buffer strips, constructed wetlands, etc.)

ii. All dry weather flows shall be diverted from infiltration devices.
iii. Pollution prevention and source control BMPs shall be implemented at a level appropriate to protect groundwater quality at sites where infiltration structural treatment BMPs are to be used.
iv. Infiltration structural treatment BMPs shall be adequately maintained so that they remove pollutants to the maximum extent practicable.
v. The vertical distance from the base of any infiltration structural treatment BMP to the seasonal high groundwater mark shall be at least 10 feet. Where groundwater basins do not support beneficial uses, this vertical distance criteria may be reduced, provided groundwater quality is maintained.
vi. The soil through which infiltration is to occur shall have physical and chemical characteristics (such as appropriate cation exchange capacity, organic content, clay content, and infiltration rate) which are adequate for proper infiltration durations and treatment of urban runoff for the protection of groundwater beneficial uses.
vii. Infiltration structural treatment BMPs shall not be used for areas of industrial or light industrial activity; areas subject to high vehicular traffic (25,000 or greater average daily traffic on main roadway or 15,000 or more average daily traffic on any intersecting roadway); automotive repair shops; car washes; fleet storage areas (bus, truck, etc.); nurseries; and other high threat to water quality land uses and activities as designated by each Copermittee.
viii. Infiltration structural BMPs shall be located a minimum of 100 feet horizontally from any water supply wells.

As part of the model and local SUSMPs, the Copermittees may develop alternative restrictions on the use of structural treatment BMPs which are designed to primarily function as infiltration devices.

(i) Downstream Erosion – As part of the model SUSMP and the local SUSMPs, the Copermittees shall develop criteria to ensure that discharges from new development and significant redevelopment maintain or reduce pre-development downstream erosion and protect stream habitat. At a minimum, criteria shall be developed to control peak storm water discharge rates and velocities in order to maintain or reduce pre-development downstream erosion and protect stream habitat. Storm water discharge volumes and durations should also be considered.

F.1.c. Revise Environmental Review Processes

(1) To the extent feasible, the Copermittees shall revise their current environmental review processes to include requirements for evaluation of water quality effects and identification of appropriate mitigation measures. The following questions are examples to be considered in addressing increased pollutants and flows from proposed projects:

(a) Could the proposed project result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).
(b) Could the proposed project result in significant alteration of receiving water quality during or following construction?
(c) Could the proposed project result in increased impervious surfaces and associated increased runoff?
(d) Could the proposed project create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?
(e) Could the proposed project result in increased erosion downstream?

(f) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?
(g) Is project tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?
(h) Could the proposed project have a potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters?
(i) Could the proposed project have a potentially significant adverse impact on ground water quality?
(j) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?
(k) Can the project impact aquatic, wetland, or riparian habitat?

F.1.d. Conduct Education Efforts Focused on New Development and Redevelopment

(1) Internal: Municipal Staff and Others

Each Copermittee shall implement an education program to ensure that its planning and development review staffs (and Planning Boards and Elected Officials, if applicable) have an understanding of:

(a) Federal, state, and local water quality laws and regulations applicable to development projects;
(b) The connection between land use decisions and short and long-term water quality impacts (i.e., impacts from land development and urbanization); and
(c) How impacts to receiving water quality resulting from development can be minimized (i.e., through implementation of various source control and structural BMPs).

(2) External: Project Applicants, Developers, Contractors, Property Owners, Community Planning Groups

As early in the planning and development process as possible, each Copermittee shall implement a program to educate project applicants, developers, contractors, property owners, and community planning groups on the following topics:

(a) Federal, state, and local water quality laws and regulations applicable to development projects;
(b) Required federal, state, and local permits pertaining to water quality;
(c) Water quality impacts of urbanization; and
(d) Methods for minimizing the impacts of development on receiving water quality.

F.2. Construction Component

Each Copermittee shall implement a Construction Component of its Jurisdictional URMP to reduce pollutants in runoff from construction sites during all construction phases. At a minimum the construction component shall address:

F.2.a. Pollution Prevention
F.2.b. Grading Ordinance Update
F.2.c. Modify Construction and Grading Approval Process
F.2.d. Source Identification
F.2.e. Threat to Water Quality Prioritization
F.2.f. BMP Implementation
F.2.g. Inspection of Construction Sites
F.2.h. Enforcement of Construction Sites
F.2.i. Reporting of Non-compliant Sites

F.2.j. Education Focused on Construction Activities

F.2.a. Pollution Prevention (Construction)

Each Copermittee shall implement pollution prevention methods in its Construction Component and shall require its use by construction site owners, developers, contractors, and other responsible parties, where appropriate.

F.2.b. Grading Ordinance Update (Construction)

Each Copermittee shall review and update its grading ordinances as necessary for compliance with its storm water ordinances and this Order. The updated grading ordinance shall require implementation of BMPs and other measures during all construction activities, including the following BMPs and other measures or their equivalent:

(1) Erosion prevention;
(2) Seasonal restrictions on grading;
(3) Slope stabilization requirements;
(4) Phased grading;
(5) Revegetation as early as feasible;
(6) Preservation of natural hydrologic features;
(7) Preservation of riparian buffers and corridors;
(8) Maintenance of all source control and structural treatment BMPs; and
(9) Retention and proper management of sediment and other construction pollutants on site.

F.2.c Modify Construction and Grading Approval Process (Construction)

Prior to approval and issuance of local construction and grading permits, each Copermittee shall require all individual proposed construction and grading projects to implement measures to ensure that pollutants from the site will be reduced to the maximum extent practicable and will not cause or contribute to an exceedance of water quality objectives. Each Copermittee shall further ensure that all grading and construction activities will be in compliance with applicable Copermittee ordinances (e.g., storm water, grading, construction, etc.) and other applicable requirements, including this Order.

(1) Construction and Grading Project Requirements

Include construction and grading project requirements in local grading and construction permits to ensure that pollutant discharges are reduced to the maximum extent practicable and water quality objectives are not violated during the construction phase. Such requirements shall include the following requirements or their equivalent:

(a) Require project proponent to develop and implement a plan to manage storm water and non-storm water discharges from the site at all times;
(b) Require project proponent to minimize grading during the wet season and coincide grading with seasonal dry weather periods to the extent feasible. If grading does occur during the wet season, require project proponent to implement additional BMPs for any rain events which may occur, as necessary for compliance with this Order;
(c) Require project proponent to emphasize erosion prevention as the most important measure for keeping sediment on site during construction;
(d) Require project proponent to utilize sediment controls as a supplement to erosion prevention for keeping sediment on-site during construction, and never as the single or primary method;
(e) Require project proponent to minimize areas that are cleared and graded to only the portion of the site that is necessary for construction;
(f) Require project proponent to minimize exposure time of disturbed soil areas;

(g) Require project proponent to temporarily stabilize and reseed disturbed soil areas as rapidly as possible;
(h) Require project proponent to permanently revegetate or landscape as early as feasible;
(i) Require project proponent to stabilize all slopes; and
(j) Require project proponents subject to California's statewide General NPDES Permit for Storm Water Discharges Associated With Construction Activities, (hereinafter General Construction Permit), to provide evidence of existing coverage under the General Construction Permit.

F.2.d. Source Identification (Construction)

Each Copermittee shall annually develop and update, prior to the rainy season, a watershed-based inventory of all construction sites within its jurisdiction regardless of site size or ownership. This requirement is applicable to all construction sites regardless of whether the construction site is subject to the California statewide General NPDES Permit for Storm Water Discharges Associated With Construction Activities (hereinafter General Construction Permit), or other individual NPDES permit. The use of an automated database system, such as Geographical Information System (GIS) is highly recommended, but not required.

F.2.e. Threat to Water Quality Prioritization (Construction)

(1) To establish priorities for construction oversight activities under this Order, the Copermittee shall prioritize its watershed-based inventory (developed pursuant to F.2.d. above) by threat to water quality. Each construction site shall be classified as high, medium, or low threat to water quality. In evaluating threat to water quality each Copermittee shall consider (1) soil erosion potential; (2) site slope; (3) project size and type; (4) sensitivity of receiving water bodies; (5) proximity to receiving water bodies; (6) non-storm water discharges; and (7) any other relevant factors.

(2) A high priority construction site shall at a minimum be defined as a site meeting either of the following criteria or equivalent criteria:

(a) The site is 50 acres or more and grading will occur during the wet season; OR
(b) The site is (1) 5 acres or more and (2) tributary to a Clean Water Act section 303(d) water body impaired for sediment or is within or directly adjacent to or discharging directly to a receiving water within an environmentally sensitive area (as defined in section F.1.b.(2)(a)vii of this Order).

F.2.f. BMP Implementation (Construction)

(1) Each Copermittee shall designate a set of minimum BMPs for high, medium, and low threat to water quality construction sites (as determined under section F.2.e). BMPs are to be implemented year round.

(2) Each Copermittee shall implement, or require the implementation of, the designated minimum BMPs (based upon the site's threat to water quality rating) at each construction site within its jurisdiction year round. If particular minimum BMPs are infeasible at any specific site, each Copermittee shall implement, or require the implementation of, other equivalent BMPs. Each Copermittee shall also implement or require any additional site specific BMPs as necessary to comply with this Order, including BMPs which are more stringent than those required under the statewide General Construction Permit.

(3) Each Copermittee shall implement, or require the implementation of, BMPs year round; however, BMP implementation requirements can vary based on wet and dry seasons.

(4) Each Copermittee shall implement, or require implementation of, additional controls for construction sites tributary to Clean Water Act section 303(d) water bodies impaired for sediment as necessary to comply with this Order. Each Copermittee shall implement, or require implementation of, additional controls for construction sites within or adjacent to or discharging directly to receiving waters within environmentally sensitive areas (as defined in section F.1.b.(2)(a)(vii) of this Order) as necessary to comply with this Order.

F.2.g. Inspection of Construction Sites (Construction)

(1) Each Copermittee shall conduct construction site inspections for compliance with its ordinances (grading, storm water, etc.), permits (construction, grading, etc.), and this Order. Inspections shall include review of site erosion control and BMP implementation plans.

(2) Each Copermittee shall establish inspection frequencies and priorities as determined by the threat to water quality prioritization described in F.2.e above. During the wet season (i.e., October 1 through April 30 of each year), each Copermittee shall inspect, at a minimum, each High Priority construction site, either:

(a) Weekly
OR
(b) Monthly for any site that the responsible Copermittee certifies in a written statement to the SDRWQCB all of the following (certified statements may be submitted to the SDRWQCB at any time for one or more sites):

i. Copermittee has record of construction site's Waste Discharge Identification Number (WDID#) documenting construction site's coverage under the statewide General Construction Permit; and
ii. Copermittee has reviewed the constructions site's Storm Water Pollution Prevention Plan (SWPPP); and
iii. Copermittee finds SWPPP to be in compliance with all local ordinances, permits, and plans; and
iv. Copermittee finds that the SWPPP is being properly implemented on site.

At a minimum, Medium and Low Priority construction sites shall be inspected by Copermittees twice during the wet season. All construction sites shall be inspected by the Copermittees as needed during the dry season (i.e., May 1 through September 30 of each year).

(3) Based upon site inspection findings, each Copermittee shall implement all follow-up actions necessary to comply with this Order.

F.2.h. Enforcement of Construction Sites (Construction)

Each Copermittee shall enforce its ordinances (grading, storm water, etc.) and permits (construction, grading, etc.) at all construction sites as necessary to maintain compliance with this Order. Copermittee ordinances or other regulatory mechanisms shall include sanctions to ensure compliance. Sanctions shall include the following or their equivalent: Non-monetary penalties, fines, bonding requirements, and/or permit denials for non-compliance.

F.2.i. Reporting of Non-compliant Sites (Construction)

Each Copermittee shall provide oral notification to the SDRWQCB of non-compliant sites that are determined to pose a threat to human or environmental health within its jurisdiction within 24

hours of the discovery of noncompliance, as required under section R.1 (and B.6 of Attachment C) of this Order.

Each Copermittee shall develop and submit criteria by which to evaluate events of non-compliance to determine whether they pose a threat to human or environmental health. These criteria shall be submitted in the Jurisdictional Urban Runoff Management Program Document and Annual Reports for SDRWQCB review.

Such oral notification shall be followed up by a written report to be submitted to the SDRWQCB within 5 days of the incidence of non-compliance as required under section R.1 (and B.6 of Attachment C) of this Order. Sites are considered non-compliant when one or more violations of local ordinances, permits, plans, or this Order exist on the site.

F.2.j. Education Focused on Construction Activities (Construction)

(1) Internal: Municipal Staff

Each Copermittee shall implement an education program to ensure that its construction, building, and grading review staffs and inspectors have an understanding of:

(a) Federal, state, and local water quality laws and regulations applicable to construction and grading activities.
(b) The connection between construction activities and water quality impacts (i.e., impacts from land development and urbanization).
(c) How erosion can be prevented.
(d) How impacts to receiving water quality resulting from construction activities can be minimized (i.e., through implementation of various source control and structural BMPs).
(e) Applicable topics listed in section F.4. of this Order.

(2) External: Project Applicants, Contractors, Developers, Property Owners, and other Responsible Parties

Each Copermittee shall implement an education program to ensure that project applicants, contractors, developers, property owners, and other responsible parties have an understanding of the topics outlined in section F.2.j.1. above of this Order.

F.3. Existing Development Component

Each Copermittee shall minimize the short and long-term impacts on receiving water quality from all types of existing development.

F.3.a. Municipal (Existing Development)

Each Copermittee shall implement a Municipal (Existing Development) Component to prevent or reduce pollutants in runoff from all municipal land use areas and activities. At a minimum the municipal component shall address:

F.3.a.(1)	Pollution Prevention
F.3.a.(2)	Source Identification
F.3.a.(3)	Threat to Water Quality Prioritization
F.3.a.(4)	BMP Implementation
F.3.a.(5)	Maintenance of Municipal Separate Storm Sewer System
F.3.a.(6)	Management of Pesticides, Herbicides, and Fertilizers
F.3.a.(7)	Inspection of Municipal Areas and Activities
F.3.a.(8)	Enforcement of Municipal Areas and Activities

F.3.a.(1) Pollution Prevention (Municipal)

Each Copermittee shall include and describe pollution prevention methods within its Municipal (Existing Development) Component. Each Copermittee shall require the use of pollution prevention methods by municipal departments, contractors, and personnel, where appropriate.

F.3.a.(2) Source Identification (Municipal)

Each Copermittee shall develop, and update annually, a watershed-based inventory of the name, address (if applicable), and description of all municipal land use areas and activities which generate pollutants.

F.3.a.(3) Threat to Water Quality Prioritization (Municipal)

(a) To establish priorities for oversight of municipal areas and activities required under this Order, each Copermittee shall prioritize each watershed inventory in F.3.a.2. above by threat to water quality and update annually. Each municipal area and activity shall be classified as high, medium, or low threat to water quality. In evaluating threat to water quality, each Copermittee shall consider (1) type of municipal area or activity; (2) materials used; (3) wastes generated; (4) pollutant discharge potential; (5) non-storm water discharges; (6) size of facility or area; (7) proximity to receiving water bodies; (8) sensitivity of receiving water bodies; and (9) any other relevant factors.

(b) At a minimum, the high priority municipal areas and activities shall include the following:

i. Roads, Streets, Highways, and Parking Facilities.
ii. Flood Management Projects and Flood Control Devices.
iii. Areas and activities tributary to a Clean Water Act section 303(d) impaired water body, where an area or activity generates pollutants for which the water body is impaired. Areas and activities within or adjacent to or discharging directly to receiving waters within environmentally sensitive areas (as defined in section F.1.b.(2)(a)vii of this Order).
iv. Municipal Waste Facilities.
- Active or closed municipal landfills;
- Publicly owned treatment works (including water and wastewater treatment plants) and sanitary sewage collection systems;
- Municipal separate storm sewer systems;
- Incinerators;
- Solid waste transfer facilities;
- Land application sites;
- Uncontrolled sanitary landfills;
- Corporate yards including maintenance and storage yards for materials, waste, equipment and vehicles;
- Sites for disposing and treating sewage sludge; and
- Hazardous waste treatment, disposal, and recovery facilities.

v. Other municipal areas and activities that the Copermittee determines may contribute a significant pollutant load to the MS4.
vi. Municipal airfields.

F.3.a.(4) BMP Implementation (Municipal)

(a) Each Copermittee shall designate a set of minimum BMPs for high, medium, and low threat to water quality municipal areas and activities (as determined under section F.3.a.(3)). The designated minimum BMPs for high threat to water quality municipal

areas and activities shall be area or activity specific as appropriate.

(b) Each Copermittee shall implement, or require the implementation of, the designated minimum BMPs (based upon the threat to water quality rating) at each municipal area or activity within its jurisdiction. If particular minimum BMPs are infeasible for any specific area or activity, each Copermittee shall implement, or require implementation of other equivalent BMPs. Each Copermittee shall also implement any additional BMPs as are necessary to comply with this Order.

i. Each Copermittee shall evaluate feasibility of retrofitting existing structural flood control devices and retrofit where needed.

(c) Each Copermittee shall implement, or require implementation of, any additional controls for municipal areas and activities tributary to Clean Water Act section 303(d) impaired water bodies (where an area or activity generates pollutants for which the water body is impaired) as necessary to comply with this Order. Each Copermittee shall implement, or require implementation of, additional controls for municipal areas and activities within or directly adjacent to or discharging directly to receiving waters within environmentally sensitive areas (as defined in section F.1.b.(2)(a)(vii) of this Order) as necessary to comply with this Order.

F.3.a.(5) Maintenance of Municipal Separate Storm Sewer System (Municipal)

(a) Each Copermittee shall implement a schedule of maintenance activities at all structural controls designed to reduce pollutant discharges to or from its MS4s and related drainage structures.

(b) Each Copermittee shall implement a schedule of maintenance activities for the municipal separate storm sewer system.

(c) The maintenance activities must, at a minimum, include:

i. Inspection and removal of accumulated waste (e.g. sediment, trash, debris and other pollutants) between May 1 and September 30 of each year;

ii. Additional cleaning as necessary between October 1 and April 30 of each year;

iii. Record keeping of cleaning and the overall quantity of waste removed;

iv. Proper disposal of waste removed pursuant to applicable laws;

v. Measures to eliminate waste discharges during MS4 maintenance and cleaning activities.

F.3.a.(6) Management of Pesticides, Herbicides, and Fertilizers (Municipal)

The Copermittees shall implement BMPs to reduce the contribution of pollutants associated with the application, storage, and disposal of pesticides, herbicides and fertilizers from municipal areas and activities to MS4s. Important municipal areas and activities include municipal facilities, public rights-of-way, parks, recreational facilities, golf courses, cemeteries, botanical or zoological gardens and exhibits, landscaped areas, etc.

Such BMPs shall include, at a minimum: (1) educational activities, permits, certifications and other measures for municipal applicators and distributors; (2) integrated pest management measures that rely on non-chemical solutions; (3) the use of native vegetation; (4) schedules for irrigation and chemical application; and (5) the collection and

proper disposal of unused pesticides, herbicides, and fertilizers.

F.3.a.(7) Inspection of Municipal Areas and Activities (Municipal)

At a minimum, each Copermittee shall inspect high priority municipal areas and activities annually. Based upon site inspection findings, each Copermittee shall implement all follow-up actions necessary to comply with this Order.

F.3.a.(8) Enforcement of Municipal Areas and Activities (Municipal)

Each Copermittee shall enforce its storm water ordinance for all municipal areas and activities as necessary to maintain compliance with this Order.

F.3.b. Industrial (Existing Development)

Each Copermittee shall implement an Industrial (Existing Development) Component to reduce pollutants in runoff from all industrial sites. At a minimum the industrial component shall address:

F.3.b.(1) Pollution Prevention
F.3.b.(2) Source Identification
F.3.b.(3) Threat to Water Quality Prioritization
F.3.b.(4) BMP Implementation
F.3.b.(5) Monitoring of Industrial Sites
F.3.b.(6) Inspection of Industrial Sites
F.3.b.(7) Enforcement Measures for Industrial Sites
F.3.b.(8) Reporting of Non-compliant Sites

F.3.b.(1) Pollution Prevention (Industrial)

Each Copermittee shall include and describe pollution prevention methods within its Industrial (Existing Development) Component. Each Copermittee shall require the use of pollution prevention methods by industry, where appropriate.

F.3.b.(2) Source Identification (Industrial)

Each Copermittee shall develop and update annually a watershed-based inventory of all industrial sites within its jurisdiction regardless of site ownership. This requirement is applicable to all industrial sites regardless of whether the industrial site is subject the California statewide General NPDES Permit for Storm Water Discharges Associated With Industrial Activities, Except Construction (hereinafter General Industrial Permit) or other individual NPDES permit.

The inventory shall include the following minimum information for each industrial site: name; address; and a narrative description including SIC codes which best reflects the principal products or services provided by each facility.

F.3.b.(3) Threat to Water Quality Prioritization (Industrial)

(a) To establish priorities for industrial oversight activities under this Order, the Copermittee shall prioritize each watershed-based inventory in F.3.b.(2) above by threat to water quality and update annually. Each industrial site shall be classified as high, medium, or low threat to water quality. In evaluating threat to water quality each Copermittee shall consider (1) type of industrial activity (SIC Code); (2) materials used in industrial processes; (3) wastes generated; (4) pollutant discharge potential; (5) non-storm water discharges; (6) size of facility; (7) proximity to receiving water bodies; (8) sensitivity of receiving water bodies; (9) whether the industrial site is subject to the statewide General

Industrial Permit; and (10) any other relevant factors.

(b) At a minimum the high priority industrial sites shall include industrial facilities that are subject to section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA); industrial facilities tributary to a Clean Water Act section 303(d) impaired water body, where a facility generates pollutants for which the water body is impaired; industrial facilities within or directly adjacent to or discharging directly to receiving waters within environmentally sensitive areas (as defined in section F.1.b.(2)(a)vii of this Order); facilities subject to the statewide General Industrial Permit (excluding those facilities that have been approved for No Exposure Certification); and all other industrial facilities that the Copermittee determines are contributing significant pollutant loading to its MS4, regardless of whether such facilities are covered under the statewide General Industrial Permit or other NPDES permit.

F.3.b.(4) BMP Implementation (Industrial)

(a) Each Copermittee shall designate a set of minimum BMPs for high, medium, and low threat to water quality industrial sites (as determined under section F.3.b.(3)). The designated minimum BMPs for high threat to water quality industrial sites shall be industry and site specific as appropriate.

(b) Each Copermittee shall implement, or require the implementation of, the designated minimum BMPs (based upon the site's threat to water quality rating) at each industrial site within its jurisdiction. If particular minimum BMPs are infeasible at any specific site, each Copermittee shall implement, or require implementation of, other equivalent BMPs. Each Copermittee shall also implement or require any additional site specific BMPs as necessary to comply with this Order including BMPs which are more stringent than those required under the statewide General Industrial Permit.

(c) Each Copermittee shall implement, or require implementation of, additional controls for industrial sites tributary to Clean Water Act section 303(d) impaired water bodies (where a site generates pollutants for which the water body is impaired) as necessary to comply with this Order. Each Copermittee shall implement, or require implementation of, additional controls for industrial sites within or directly adjacent to or discharging directly to receiving waters within environmentally sensitive areas (as defined in section F.1.b.(2)(a)(vii) of this Order) as necessary to comply with this Order.

F.3.b.(5) Monitoring of Industrial Sites (Industrial)

(a) Each Copermittee shall conduct, or require industry to conduct, a monitoring program for runoff from each high threat to water quality industrial site (identified in F.3.b.(3) above). Group monitoring by multiple industrial sites conducted under group monitoring programs approved by the State Water Resources Control Board is acceptable.

(b) At a minimum, the monitoring program shall provide quantitative data from two storm events per year on the following constituents:

i. Any pollutant listed in effluent guidelines subcategories where applicable;
ii. Any pollutant for which an effluent limit has been established in an existing NPDES permit for the facility;
iii. Oil and grease or Total Organic Carbon (TOC);
iv. pH;
v. Total suspended solids (TSS);
vi. Specific conductance; and
vii. Toxic chemicals and other pollutants that are likely to be present in storm water discharges.

viii. Any pollutant that may be used, stored, or generated at the facility, which may be discharged to a water body or a tributary of that water body that is listed as impaired under Clean Water Act Section 303(d) for that pollutant(s), unless the facility can demonstrate approval of No Exposure Certification.

F.3.b.(6) Inspection of Industrial Sites (Industrial)

(a) Each Copermittee shall conduct industrial site inspections for compliance with its ordinances, permits, and this Order. Inspections shall include review of BMP implementation plans.

(b) Each Copermittee shall establish inspection frequencies and priorities as determined by the threat to water quality prioritization described in F.3.b.(3) above. Each Copermittee shall inspect high priority industrial sites, at a minimum:

i. Annually

OR

ii. Bi-annually for any site that the responsible Copermittee certifies in a written statement to the SDRWQCB all of the following (certified statements may be submitted to the SDRWQCB at any time for one or more sites):

- Copermittee has record of industrial site's Waste Discharge Identification Number (WDID#) documenting industrial site's coverage under the statewide General Industrial Permit; and
- Copermittee has reviewed the industrial site's Storm Water Pollution Prevention Plan (SWPPP); and
- Copermittee finds SWPPP to be in compliance with all local ordinances, permits, and plans; and
- Copermittee finds that the SWPPP is being properly implemented on site.

Each Copermittee shall inspect medium and low threat to water quality industrial sites as needed.

(c) Based upon site inspection findings, each Copermittee shall implement all follow-up actions necessary to comply with this Order.

(d) To the extent that the SDRWQCB has conducted an inspection of a high priority industrial site during a particular year, the requirement for the responsible Copermittee to inspect this site during the same year will be satisfied.

F.3.b.(7) Enforcement of Industrial Sites (Industrial)

Each Copermittee shall enforce its storm water ordinance at all industrial sites as necessary to maintain compliance with this Order. Copermittee ordinances or other regulatory mechanisms shall include sanctions to ensure compliance. Sanctions shall include the following or their equivalent: Non-monetary penalties, fines, bonding requirements, and/or permit denials for non-compliance.

F.3.b.(8) Reporting of Non-compliant Sites (Industrial)

Each Copermittee shall provide oral notification to the SDRWQCB of non-compliant sites that are determined to pose a threat to human or environmental health within its jurisdiction within 24 hours of the discovery of noncompliance, as required under section R.1 (and B.6 of Attachment C) of this Order.

Each Copermittee shall develop and submit criteria by which to evaluate events of non-compliance to determine whether they pose a threat to human or environmental health. These criteria shall be submitted in the Jurisdictional Urban Runoff Management Program Document and Annual Reports for SDRWQCB review.

Such oral notification shall be followed up by a written report to be submitted to the SDRWQCB within 5 days of the incidence of non-compliance as required under section R.1(and B.6 of Attachment C) of this Order. Sites are considered non-compliant when one or more violations of local ordinances, permits, plans, or this Order exist on the site.

F.3.c. Commercial (Existing Development)

Each Copermittee shall implement a Commercial (Existing Development) Component to reduce pollutants in runoff from commercial sites. At a minimum the commercial component shall address:

F.3.c.(1) Pollution Prevention
F.3.c.(2) Source Identification
F.3.c.(3) BMP Implementation
F.3.c.(4) Inspection of Commercial Sites and Sources
F.3.c.(5) Enforcement of Commercial Sites and Sources

F.3.c.(1) Pollution Prevention (Commercial)

Each Copermittee shall include and describe pollution prevention methods within its Commercial (Existing Development) Component. Each Copermittee shall require the use of pollution prevention methods by commercial facilities, where appropriate.

F.3.c.(2) Source Identification (Commercial)

Each Copermittee shall develop and update annually an inventory of the following high priority threat to water quality commercial sites/sources listed below. (If any commercial site/source listed below is inventoried as an industrial site, as required under section F.3.b.(2) of this Order, it is not necessary to also inventory it as a commercial site/source).

(a) Automobile mechanical repair, maintenance, fueling, or cleaning;
(b) Airplane mechanical repair, maintenance, fueling, or cleaning;
(c) Boat mechanical repair, maintenance, fueling, or cleaning;
(d) Equipment repair, maintenance, fueling, or cleaning;
(e) Automobile and other vehicle body repair or painting;
(f) Mobile automobile or other vehicle washing;
(g) Automobile (or other vehicle) parking lots and storage facilities;
(h) Retail or wholesale fueling;
(i) Pest control services;
(j) Eating or drinking establishments;
(k) Mobile carpet, drape or furniture cleaning;
(l) Cement mixing or cutting;
(m) Masonry;
(n) Painting and coating;
(o) Botanical or zoological gardens and exhibits;
(p) Landscaping;
(q) Nurseries and greenhouses;
(r) Golf courses, parks and other recreational areas/facilities;
(s) Cemeteries;
(t) Pool and fountain cleaning;

(u) Marinas;
(v) Port-a-Potty servicing;
(w) Other commercial sites/sources that the Copermittee determines may contribute a significant pollutant load to the MS4;
(x) Any commercial site or source tributary to a Clean Water Act section 303(d) impaired water body, where the site or source generates pollutants for which the water body is impaired; and
(y) Any commercial site or source within or directly adjacent to or discharging directly to a coastal lagoon or other receiving water within an environmentally sensitive area (as defined in F.1.b(2)(a)vii of this Order).

F.3.c.(3) BMP Implementation (Commercial)

(a) Each Copermittee shall designate a set of minimum BMPs for the high priority threat to water quality commercial sites/sources (listed above in section F.3.c.(2)). The designated minimum BMPs for the high threat to water quality commercial sites/sources shall be site and source specific as appropriate.

(b) Each Copermittee shall implement, or require the implementation of, the designated minimum BMPs at each high priority threat to water quality commercial site/source within its jurisdiction. If particular minimum BMPs are infeasible for any specific site/source, each Copermittee shall implement, or require the implementation of, other equivalent BMPs. Each Copermittee shall also implement or require any additional site specific BMPs as necessary to comply with this Order.

(c) Each Copermittee shall implement, or require implementation of, additional controls for commercial sites or sources tributary to Clean Water Act section 303(d) impaired water bodies (where a site or source generates pollutants for which the water body is impaired) as necessary to comply with this Order. Each Copermittee shall implement, or require implementation of, additional controls for commercial sites or sources within or directly adjacent to or discharging directly to coastal lagoons or other receiving waters within environmentally sensitive areas (as defined in section F.1.b.(2)(a)(vii) of this Order) as necessary to comply with this Order.

F.3.c.(4) Inspection of Commercial Sites and Sources (Commercial)

Each Copermittee shall inspect high priority commercial sites and sources as needed. Based upon site inspection findings, each Copermittee shall implement all follow-up actions necessary to comply with this Order.

F.3.c.(5) Enforcement of Commercial Sites and Sources (Commercial)

Each Copermittee shall enforce its storm water ordinance for all commercial sites and sources as necessary to maintain compliance with this Order.

F.3.d. Residential (Existing Development)

Each Copermittee shall implement a Residential (Existing Development) Component to prevent or reduce pollutants in runoff from all residential land use areas and activities. At a minimum the residential component shall address:

F.3.d.(1) Pollution Prevention
F.3.d.(2) Threat to Water Quality Prioritization
F.3.d.(3) BMP Implementation
F.3.d.(4) Enforcement of Residential Areas and Activities

F.3.d.(1) Pollution Prevention (Residential)

Each Copermittee shall include pollution prevention methods in its Residential (Existing Development) Component and shall encourage their use by residents, where appropriate.

F.3.d.(2) Threat to Water Quality Prioritization (Residential)

Each Copermittee shall identify high priority residential areas and activities. At a minimum, these shall include:

- Automobile repair and maintenance;
- Automobile washing;
- Automobile parking;
- Home and garden care activities and product use (pesticides, herbicides, and fertilizers);
- Disposal of household hazardous waste (e.g., paints, cleaning products, and other wastes generated during home improvement or maintenance activities);
- Disposal of pet waste;
- Disposal of green waste;
- Any other residential source that the Copermittee determines may contribute a significant pollutant load to the MS4;
- Any residence tributary to a Clean Water Act section 303(d) impaired water body, where the residence generates pollutants for which the water body is impaired; and
- Any residence within or directly adjacent to or discharging directly to coastal waters or other receiving waters within an environmentally sensitive area (as defined in F.1.b.(2)(a)vii of this Order).

F.3.d.(3) BMP Implementation (Residential)

(a) Each Copermittee shall designate a set of minimum BMPs for high threat to water quality residential areas and activities (as required under section F.3.d.(2)). The designated minimum BMPs for high threat to water quality ~~municipal~~ residential areas and activities shall be area or activity specific.

(b) Each Copermittee shall implement or require implementation of the designated minimum BMPs for high threat to water quality residential areas and activities. If particular minimum BMPs are infeasible for any specific site/source, each Copermittee shall require implementation of other equivalent BMPs. Each Copermittee shall also implement, or require implementation of, any additional BMPs as are necessary to comply with this Order.

(c) Each Copermittee shall implement, or require implementation of, any additional controls for residential areas and activities tributary to Clean Water Act Section 303(d) impaired water bodies (where a residential area or activity generates pollutants for which the water body is impaired) as necessary to comply with this Order. Each Copermittee shall implement, or require implementation of, additional controls for residential areas within or directly adjacent to or discharging directly to coastal waters or other receiving waters within environmentally sensitive areas (as defined in section F.1.b.(2)(a)(vii) of this Order) as necessary to comply with this Order.

F.3.d.(4) Enforcement of Residential Areas and Activities (Residential)

Each Copermittee shall enforce its storm water ordinance for all residential areas and activities as necessary to maintain compliance with this Order.

F.4. Education Component

Each Copermittee shall implement an Education Component using all media as appropriate to (1) measurably increase the knowledge of the target communities regarding MS4s, impacts of urban runoff on receiving waters, and potential BMP solutions for the target audience; and (2) to measurably change the behavior of target communities and thereby reduce pollutant releases to MS4s and the environment. At a minimum the education component shall address the following target communities:

- Municipal Departments and Personnel
- Construction Site Owners and Developers
- Industrial Owners and Operators
- Commercial Owners and Operators
- Residential Community, General Public, and School Children
- Quasi-Governmental Agencies/Districts (i.e., educational institutions, water districts, sanitation districts, etc.)

F.4.a. All Target Communities

At a minimum the Education Program for each target audience shall contain information on the following topics where applicable:

- State and Federal water quality laws
- Requirements of local municipal permits and ordinances (e.g., storm water and grading ordinances and permits)
- Water conservation
- Impacts of urban runoff on receiving waters
- Watershed concepts (i.e., stewardship, connection between inland activities and coastal problems, etc.)
- Distinction between MS4s and sanitary sewers
- Importance of good housekeeping (e.g., sweeping impervious surfaces instead of hosing)
- Pollution prevention and safe alternatives
- Household hazardous waste collection
- Recycling
- BMPs: Site specific, structural and source control
- BMP maintenance
- Non-storm water disposal alternatives (e.g., all wash waters)
- Pet and animal waste disposal
- Proper solid waste disposal (e.g., garbage, tires, appliances, furniture, vehicles)
- Equipment and vehicle maintenance and repair
- Public reporting mechanisms
- Green waste disposal
- Integrated pest management
- Native vegetation
- Proper disposal of boat and recreational vehicle waste
- Traffic reduction, alternative fuel use

F.4.b. Municipal, Construction, Industrial, Commercial, and Quasi-Governmental (educational institutions, water districts, sanitation districts, etc.) Communities

In addition to the topics listed in F.4.a. above, the Municipal, Construction, Industrial, Commercial, and Quasi-Governmental (Educational Institutions, Water Districts, Sanitation Districts) Communities shall also be educated on the following topics where applicable:

- Basic urban runoff training for all personnel
- Additional urban runoff training for appropriate personnel
- Illicit Discharge Detection and Elimination observations and follow-up during daily work activities
- Lawful disposal of catchbasin and other MS4 cleanout wastes
- Water quality awareness for Emergency/First Responders
- California's Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities (Except Construction).
- California's Statewide General NPDES Permit for Storm Water Discharges Associated with Construction Activities
- SDRWQCB's General NPDES Permit for Groundwater Dewatering
- 401 Water Quality Certification by the SDRWQCB
- Statewide General NPDES Utility Vault Permit (NPDES No. CAG990002)
- SDRWQCB Waste Discharge Requirements for Dredging Activities
- Local requirements beyond statewide general permits
- Federal, state and local water quality regulations that affect development projects
- Water quality impacts associated with land development
- Alternative materials & designs to maintain peak runoff values
- How to conduct a storm water inspection
- Potable water discharges to the MS4
- Dechlorination techniques
- Hydrostatic testing
- Spill response, containment, & recovery
- Preventive maintenance
- How to do your job and protect water quality

F.4.c. Residential, General Public, School Children Communities

In addition to the topics listed in F.4.a. above, the Residential, General Public, and School Children Communities shall be educated on the following topics where applicable:

- Public reporting information resources
- Residential and charity car-washing
- Community activities (e.g., "Adopt a Storm Drain, Watershed, or Highway" Programs, citizen monitoring, creek/beach cleanups, environmental protection organization activities, etc.)

F.5. Illicit Discharge Detection and Elimination Component

Each Copermittee shall implement an Illicit Discharge Detection and Elimination Component containing measures to actively seek and eliminate illicit discharges and connections. At a minimum the Illicit Discharge Detection and Elimination Component shall address:

F.5.a Illicit Discharges and Connections
F.5.b Dry Weather Monitoring Program
F.5.c Investigation / Inspection and Follow-up
F.5.d Elimination of Illicit Discharges and Connections
F.5.e Enforce Ordinances
F.5.f Prevent and Respond To Sewage Spills (Including from Private Laterals and Failing Septic Systems) and Other Spills

F.5.g Facilitate Public Reporting of Illicit Discharges and Connections – Public Hotline
F.5.h Facilitate Disposal of Used Oil and Toxic Materials
F.5.i Limit Infiltration From Sanitary Sewer to MS4

F.5.a. Illicit Discharges and Connections

Each Copermittee shall implement a program to actively seek and eliminate illicit discharges and connections into its MS4. The program shall address all types of illicit discharges and connections excluding those non-storm water discharges not prohibited by the Copermittee in accordance with Section B. of this Order.

F.5.b. Dry Weather Monitoring Program

Each Copermittee shall conduct dry weather inspections, field screening, and analytical monitoring of MS4 outfalls within its jurisdiction to detect illicit discharges and connections in accordance with Attachment E of this Order.

F.5.c. Investigation / Inspection and Follow-Up

Each Copermittee shall investigate and inspect any portion of the MS4 that, based on dry weather monitoring results or other appropriate information, indicates a reasonable potential for illicit discharges, illicit connections, or other sources of non-storm water (including non-prohibited discharge(s) identified in Section B. of this Order). Each Copermittee shall establish criteria to identify portions of the system where such follow-up investigations are appropriate.

F.5.d. Elimination of Illicit Discharges and Connections

Each Copermittee shall eliminate all detected illicit discharges, discharge sources, and connections immediately.

F.5.e. Enforce Ordinances

Each Copermittee shall implement and enforce its ordinances, orders, or other legal authority to prevent illicit discharges and connections to its MS4. Each Copermittee shall also implement and enforce its ordinance, orders, or other legal authority to eliminate detected illicit discharges and connections to it MS4.

F.5.f. Prevent and Respond to Sewage Spills (Including from Private Laterals and Failing Septic Systems) and Other Spills

Each Copermittee shall prevent, respond to, contain and clean up all sewage and other spills that may discharge into its MS4 from any source (including private laterals and failing septic systems). Spill response teams shall prevent entry of spills into the MS4 and contamination of surface water, ground water and soil to the maximum extent practicable. Each Copermittee shall coordinate spill prevention, containment and response activities throughout all appropriate departments, programs and agencies to ensure maximum water quality protection at all times.

Each Copermittee shall develop and implement a mechanism whereby it is notified of all sewage spills from private laterals and failing septic systems into its MS4. Each Copermittee shall prevent, respond to, contain and clean up sewage from any such notification.

F.5.g. Facilitate Public Reporting of Illicit Discharges and Connections - Public Hotline

Each Copermittee shall promote, publicize and facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s. Each Copermittee shall facilitate public reporting through development and operation of a public hotline. Public hotlines can be Copermittee-specific or shared by Copermittees. All storm water hotlines shall be capable of receiving reports in both English and Spanish 24 hours per day / seven days per week. Copermittees shall respond to and resolve each reported incident. All reported incidents, and how each was resolved, shall be summarized in each Copermittee's individual Jurisdictional URMP Annual Report.

F.5.h. Facilitate Disposal of Used Oil and Toxic Materials

Each Copermittee shall facilitate the proper management and disposal of used oil, toxic materials, and other household hazardous wastes. Such facilitation shall include educational activities, public information activities, and establishment of collection sites operated by the Copermittee or a private entity. Neighborhood collection of household hazardous wastes is encouraged.

F.5.i. Limit Infiltration From Sanitary Sewer to MS4/ Provide Preventive Maintenance of Both

Each Copermittee shall implement controls and measures to limit infiltration of seepage from municipal sanitary sewers to MS4s through thorough, routine preventive maintenance of the MS4. Each Copermittee that operates both a municipal sanitary sewer system and a MS4 shall implement controls and measures to limit infiltration of seepage from the municipal sanitary sewers to the MS4s that shall include overall sanitary sewer and MS4 surveys and thorough, routine preventive maintenance of both.

F.6. Common Interest Areas and Homeowners Associations

a. Each Copermittee shall develop and implement a plan for ensuring that urban runoff within common interest areas from private roads, drainage facilities, and other components of the storm water conveyance system, including those managed by associations, meets the objectives of this Order.
b. As part of its individual Jurisdictional URMP Annual Report, each Copermittee shall describe the measures taken to ensure that urban runoff from common interest areas to the MS4 meets the objectives of this Order.

F.7. Public Participation Component

Each Copermittee shall incorporate a mechanism for public participation in the implementation of the Jurisdictional URMP.

F.8. Assessment of Jurisdictional URMP Effectiveness Component

a. As part of its individual Jurisdictional URMP, each Copermittee shall develop a long-term strategy for assessing the effectiveness of its individual Jurisdictional URMP. The long-term assessment strategy shall identify specific direct and indirect measurements that each Copermittee will use to track the long-term progress of its individual Jurisdictional URMP towards achieving improvements in receiving water quality. Methods used for assessing effectiveness shall include the following or their equivalent: surveys, pollutant loading estimations, and receiving water quality monitoring. The long-term strategy shall also discuss the role of monitoring data in substantiating or refining the assessment.

b. As part of its individual Jurisdictional URMP Annual Report, each Copermittee shall include an assessment of the effectiveness of its Jurisdictional URMP using the direct and indirect assessment measurements and methods developed in its long-term assessment strategy.

F.9. Fiscal Analysis Component

Each Copermittee shall secure the resources necessary to meet the requirements of this Order. As part of its individual Jurisdictional URMP, each Copermittee shall develop a strategy to conduct a fiscal analysis of its urban runoff management program in its entirety. In order to demonstrate sufficient financial resources to implement the conditions of this Order, each Copermittee shall conduct an annual fiscal analysis as part of its individual Jurisdictional URMP Annual Report. This analysis shall, for each fiscal year covered by this Order, evaluate the expenditures (such as capital, operation and maintenance, education, and administrative expenditures) necessary to accomplish the activities of the Copermittee's urban runoff management program. Such analysis shall include a description of the source(s) of funds that are proposed to meet the necessary expenditures, including legal restrictions on the use of such funds.

G. IMPLEMENTATION OF JURISDICTIONAL URMP

Each Copermittee shall have completed full implementation of all requirements of the Jurisdictional URMP section of this Order no later than **365 days after adoption** of this Order, except as stated as follows: Within 180 days of development of the model SUSMP, each Copermittee shall adopt its own local SUSMP, and amended ordinances consistent with the model SUSMP, and shall submit both (local SUSMP and amended ordinances) to the SDRWQCB.

Following the adoption of the Order and prior to the full implementation of the ~~Watershed~~ Jurisdictional URMP, the Copermittees shall at a minimum implement the provisions and commitments of the proposed DAMP submitted in September 2000.

H. SUBMITTAL OF JURISDICTIONAL URMP DOCUMENT

The written account of the overall program to be conducted by each Copermittee within its jurisdiction during the five-year life of this Order is referred to as the "Jurisdictional URMP Document".

1. Individual – Each Copermittee shall submit to the Principal Permittee(s) an individual Jurisdictional URMP document which describes all activities it has undertaken or is undertaking to implement the requirements of each component of the Jurisdictional URMP section F. of this Order.

   a. At a minimum, the individual Jurisdictional URMP document shall contain the following information for the following components:

      (1) Construction Component

         (a) Which pollution prevention methods will be required for implementation, and how and where they will be required
         (b) Updated grading ordinances
         (c) A description of the modified construction and grading approval process
         (d) Updated construction and grading project requirements in local grading and construction permits
         (e) A completed watershed-based inventory of all construction sites
         (f) A completed prioritization of all construction sites based on threat to water quality
         (g) Which BMPs will be implemented, or required to be implemented, for each priority category
         (h) How BMPs will be implemented, or required to be implemented, for each priority category

(i) Planned inspection frequencies for each priority category
(j) Methods for inspection
(k) A description of enforcement mechanisms and how they will be used
(l) A description of how non-compliant sites will be identified and the process for notifying the SDRWQCB, including a list of current non-compliant sites
(m) A description of the construction education program and how it will be implemented

(2) Municipal (Existing Development) Component

(a) Which pollution prevention methods will be required for implementation, and how and where they will be required
(b) A completed watershed-based inventory of all municipal land use areas and activities
(c) A completed prioritization of all municipal areas and activities based on threat to water quality
(d) Which BMPs will be implemented, or required to be implemented, for each priority category
(e) How BMPs will be implemented, or required to be implemented, for each priority category
(f) Municipal maintenance activities and schedules
(g) Management strategy for pesticides, herbicides, and fertilizer use.
(h) Planned inspection frequencies for the high priority category
(i) Methods for inspection
(j) A description of enforcement mechanisms and how they will be used

(3) Industrial (Existing Development) Component

(a) Which pollution prevention methods will be required for implementation, and how and where they will be required
(b) A completed watershed-based inventory of all industrial sites
(c) A completed prioritization of all industrial sites based on threat to water quality
(d) Which BMPs will be implemented, or required to be implemented, for each priority category
(e) How BMPs will be implemented, or required to be implemented, for each priority category
(f) A description of the monitoring program to be conducted, or required to be conducted
(g) Planned inspection frequencies for each priority category
(h) Methods for inspection
(i) A description of enforcement mechanisms and how they will be used
(j) A description of how non-compliant sites will be identified and the process for notifying the SDRWQCB, including a list of current non-compliant sites

(4) Commercial (Existing Development) Component

(a) Which pollution prevention methods will be required for implementation, and how and where they will be required
(b) A completed watershed-based inventory of high priority commercial sites
(c) Which BMPs will be implemented, or required to be implemented, for high priority sites
(d) How BMPs will be implemented, or required to be implemented, for high priority sites
(e) Planned inspection frequencies for high priority sites
(f) Methods for inspection
(g) A description of enforcement mechanisms and how they will be used

(5) Residential (Existing Development) Component

(a) Which pollution prevention methods will be encouraged for implementation, and how and where they will be encouraged
(b) A completed inventory of high priority residential areas and activities
(c) Which BMPs will be implemented, or required to be implemented, for high priority areas and activities
(d) How BMPs will be implemented, or required to be implemented, for high priority areas and activities
(e) A description of enforcement mechanisms and how they will be used

(6) Education Component

(a) A description of the content, form, and frequency of education efforts for each target community

(7) Illicit Discharges Detection and Elimination Component

(a) A description of the program to actively seek and eliminate illicit discharges and connections
(b) A description of dry weather monitoring to be conducted to detect illicit discharges and connections (see Attachment E)
(c) A description of investigation and inspection procedures to follow-up on dry weather monitoring results or other information which indicate potential for illicit discharges and connections
(d) A description of procedures to eliminate detected illicit discharges and connections
(e) A description of enforcement mechanisms and how they will be used
(f) A description of methods to prevent, respond to, contain, and clean up all sewage (including spills from private laterals and failing septic systems) and other spills in order to prevent entrance into the MS4
(g) A description of the mechanism to receive notification of spills from private laterals
(h) A description of efforts to facilitate public reporting of illicit discharges and connections, including a public hotline
(i) A description of efforts to facilitate proper disposal of used oil and other toxic materials
(j) A description of controls and measures to be implemented to limit infiltration of seepage from sanitary sewers to MS4s
(k) A description of routine preventive maintenance activities on the sanitary system (where applicable) and the MS4

(8) Public Participation Component

(a) A description of how public participation will be included in the implementation of the Jurisdictional URMP

(9) Assessment of Jurisdictional URMP Effectiveness Component

(a) A description of strategies to be used for assessing the long-term effectiveness of the individual Jurisdictional URMP.

(10) Fiscal Analysis Component

(a) A description of the strategy to be used to conduct a fiscal analysis of the urban runoff management program.

(11) Land-Use Planning for New Development and Redevelopment Component

(a) Workplan for inclusion in General Plan (or equivalent plan) of water quality and watershed protection principles and policies
(b) Development project requirements in local development permits
(c) Participation efforts conducted in the development of the Model SUSMP
(d) Environmental review processes revisions
(e) A description of the planning education program and how it will be implemented

(12) Fire Fighting

(a) A description of a program to reduce pollutants from non-emergency fire fighting flows identified by the Copermittee to be significant sources of pollutants.

(13) Common Interest Areas and Homeowners Associations

(a) A description of the program that will be implemented to ensure that urban runoff within common interest areas from private roads, drainage facilities, and other components of the storm water conveyance system including those managed by associations ~~to~~ meets the objectives of this Order.

b. Each Copermittee shall submit to the Principal Permittee(s) each part of its individual Jurisdictional URMP document by the dates specified by the Principal Permittee(s).

c. In addition to submittal of the Jurisdictional URMP document, each Copermittee shall submit to the SDRWQCB its own adopted local SUSMP consistent with the ~~approved~~ submitted Model SUSMP, as described in section F.1.b.(2). of this Order. Each Copermittee's own local SUSMP, along with its amended ordinances, shall be submitted to the SDRWQCB within 180 days of the ~~SDRWQCB's approval of the Model SUSMP~~ submittal of the Model SUSMP to the SDRWQCB.

2. Unified – The Principal Permittee(s) shall submit the unified Jurisdictional URMP document to the SDRWQCB. The unified Jurisdictional URMP document shall be submitted in two parts (the collected Jurisdictional URMPs and the model SUSMP).
   a. The unified Jurisdictional URMP document submittal shall address the requirements of the entire Jurisdictional URMP sections ~~F.1 – F.8~~ F.1 - F.9. of this Order, with the exception of the local SUSMP requirements (which are to be implemented 180 days after approval of the model SUSMP by the SDRWQCB).
   b. The unified Jurisdictional URMP document submittal shall contain a section covering common activities conducted collectively by the Copermittees including jointly developed reporting formats (section O.3), to be produced by the Principal Permittee(s), and the thirteen individual Jurisdictional URMP documents.
   c. The Principal Permittee(s) shall be responsible for the development and production of a stand alone Model SUSMP document meeting the requirements of section F.1.b.(2) of this Order.
   d. The Principal Permittee(s) shall submit the unified Jurisdictional URMP document, including the Model SUSMP, to the SDRWQCB within **365 days of adoption** of this Order.

3. Universal Reporting Requirements

   All individual and unified Jurisdictional URMP document submittals shall include an executive summary, introduction, conclusion, recommendations, and signed certified statement. Each Copermittee shall submit its individual Jurisdictional Urban Runoff Management Program Document with a signed certified statement. The Principal Permittee(s) shall submit a signed certified statement referring to its individual Jurisdictional Urban Runoff Management Program Document, the section covering common activities conducted collectively by the Copermittees, and the Model SUSMP document meeting the requirements of section F.1.b.(2) of this Order as produced by the Principal Permittee(s).

I. SUBMITTAL OF JURISDICTIONAL URMP ANNUAL REPORT

1. Individual - Each individual Jurisdictional URMP Annual Report shall be a documentation of the activities conducted by each Copermittee during the past annual reporting period. Each Jurisdictional URMP Annual Report shall, at a minimum, contain the following:

   a. Comprehensive description of all activities conducted by the Copermittee to meet all requirements of each component of the Jurisdictional URMP section of this Order;

      F.1. Land-Use Planning for New Development and Redevelopment Component
      F.2. Construction Component
      F.3. Existing Development Component (Including Municipal, Industrial, Commercial, Residential, and Education)
      F.4. Education Component
      F.5. Illicit Discharge Detection and Elimination Component
      F.6 Common Interest Areas and Homeowners Associations
      F.7. Public Participation Component
      F.8. Assessment of Jurisdictional URMP Effectiveness Component
      F.9. Fiscal Analysis Component

   b. Each Copermittee's accounting of all:
      (1) Reports of illicit discharges (i.e., complaints) and how each was resolved (indicating referral source);
      (2) Inspections conducted;
      (3) Enforcement actions taken; and
      (4) Education efforts conducted.

   c. Public participation mechanisms utilized during the Jurisdictional URMP implementation process;

   d. Proposed revisions to the Jurisdictional URMP;

   e. A summary of all urban runoff related data not included in the annual monitoring report (e.g., special investigations);

   f. Budget for upcoming year;

   g. Identification of management measures proven to be ineffective in reducing urban runoff pollutants and flow; and

   h. Identification of water quality improvements or degradation.

2. Unified - The unified Jurisdictional URMP Annual Report shall contain a section covering common activities conducted collectively by the Copermittees, to be produced by the Principal Permittee(s), and the thirteen individual Jurisdictional URMP Annual Reports. Each Copermittee shall submit to the Principal Permittee(s) an individual Jurisdictional URMP Annual Report by the date specified by the Principal Permittee(s). The Principal Permittee(s) shall submit a unified Jurisdictional URMP Annual Report to the SDRWQCB by **January 31, 2003 and every January 31 thereafter.** The reporting period for these annual reports shall be the previous fiscal year. For example, the report submitted January 31, 2003 shall cover the reporting period July 1, 2001 to June 30, 2002.

3. Universal Reporting Requirements

   All individual and unified Jurisdictional URMP submittals shall include an executive summary, introduction, conclusion, recommendations, and signed certified statement. Each Copermittee shall submit its individual Jurisdictional Urban Runoff Management Program Annual Report with a signed certified statement. The Principal Permittee(s) shall submit a signed certified statement referring to

its individual Jurisdictional Urban Runoff Management Program Annual Report and the section covering common activities conducted collectively by the Copermittees as produced by the Principal Permittee(s).

J. WATERSHED URBAN RUNOFF MANAGEMENT PROGRAM

1. Each Copermittee shall collaborate with other Copermittees to ~~review and revise as necessary the proposed Drainage Area Management Plan submitted in September 2000 to~~ identify, address, and mitigate the highest priority water quality issues/pollutants in the six (Table 4) watersheds in the San Juan Creek Watershed Management Area.

2. Each Copermittee shall collaborate with all other Copermittees discharging urban runoff into the same watershed to develop and implement a Watershed Urban Runoff Management Program (Watershed URMP) for the six watersheds in the San Juan Creek Watershed Management Area. The Watershed URMP shall, at a minimum contain the following:

   a. An accurate map of the watersheds of the San Juan Creek Watershed Management Area in Orange County (preferably in Geographical Information System [GIS] format) that identifies all receiving waters (including the Pacific Ocean); all Clean Water Act section 303(d) impaired receiving waters (including the Pacific Ocean); existing and planned land uses; MS4s, major highways; jurisdictional boundaries; and inventoried commercial, construction, industrial, municipal sites, and residential areas.

   b. An assessment of the water quality of all receiving waters in the ~~watershed-based~~ watershed based upon (1) existing water quality data; and (2) annual dry weather monitoring that satisfies requirements of section F.5 and Attachment E of this Order; and (3) watershed receiving water quality monitoring that satisfies the watershed monitoring requirements of Attachment B;

   c. An identification and prioritization of major water quality problems in the watershed caused or contributed to by MS4 discharges and the likely source(s) of the problem(s);

   d. An implementation time schedule of short and long-term recommended activities (individual and collective) needed to address the highest priority water quality problem(s) identified in section J.2.c of this Order. For this section, “short-term activities” shall mean those activities that are to be completed during the life of this Order and “long-term activities” shall mean those activities that are to be completed beyond the life of this Order;

   e. A mechanism for public participation throughout the entire watershed URMP process;

   f. A watershed-based education program that builds on and expands upon the education activities conducted by each Copermittee in a given watershed and that can focus on water quality issues specific to that watershed;

   g. A mechanism to facilitate collaborative “watershed-based” (i.e., natural resource-based) land use planning with neighboring local governments in the watershed.

   h. Short-term strategy for assessing the effectiveness of the activities and programs implemented under the Watershed URMP. The short term assessment strategy shall identify methods to assess the Watershed URMP effectiveness and include specific direct and indirect performance measurements that will track the immediate progress and accomplishments of the Watershed URMP towards improving receiving water quality impacted by urban runoff discharges. The short-term strategy shall also discuss the role of monitoring data collected by the Copermittees in substantiating or refining the assessment.

i. Long-term strategy for assessing the effectiveness of the Watershed URMP. The long-term assessment strategy shall identify specific direct and indirect performance measurements that will track the long-term progress of Watershed URMP towards achieving improvements in receiving water quality impacted by urban runoff discharges. Methods used for assessing effectiveness shall include the following or their equivalent: surveys, pollutant loading estimations, and receiving water quality monitoring. The long-term strategy shall also discuss the role of monitoring data in substantiating or refining the assessment.

Table 4. Orange County Copermittees by Watershed
for the San Juan Creek Watershed Management Area

Watershed	Major Receiving Water Bodies	Copermittees
Orange County Coastal Streams - Laguna	Moro Canyon Creek Emerald Canyon Creek Laguna Canyon Creek Blue Bird Canyon Creek Rim Rock Canyon Creek Hobo Canyon Creek	County of Orange Laguna Beach Laguna Woods Orange County Flood Control District Aliso Viejo
Aliso Creek	Aliso Creek English Canyon Creek Sulphur Canyon Creek Wood Canyon Creek	Aliso Viejo (inc. July 2001) Laguna Beach Laguna Hills Laguna Niguel Laguna Woods Lake Forest Mission Viejo County of Orange Orange County Flood Control District
Dana Point Coastal Streams	Salt Creek Arroyo Salada Creek San Juan Canyon ~~Creek~~ ~~Arroyo Salada Creek~~	Dana Point Laguna Niguel Orange County Flood Control District
San Juan Creek	San Juan Creek Trampas Canyon Creek Canada Gobernadora Canada Chiquita Horno Creek Arroyo Trabuco Creek Tijeras Canyon Creek Live Oak Canyon Creek Oso Creek La Paz Creek ~~Live Oak Canyon Creek~~ ~~Tijeras Canyon Creek~~ Lucas Canyon Creek Verdugo Canyon Creek	San Juan Capistrano Mission Viejo Laguna Hills Laguna Niguel Dana Point Rancho Santa Margarita County of Orange Orange County Flood Control District San Clemente

	Bell Canyon Creek Dove Canyon Creek Crow Canyon Creek	
Orange County Coastal Streams - San Clemente	Prima Deshecha Canada Segunda Deshecha Canada	San Clemente San Juan Capistrano County of Orange Orange County Flood Control District Dana Point
San Mateo Creek	Christianitos Creek Gambino Canyon Creek La Paz Canyon Creek Talega Canyon Creek	San Clemente Orange County Orange County Flood Control District

K. IMPLEMENTATION OF WATERSHED URMP

Each Copermittee shall implement all requirements of the Watershed URMP section of this Order by ~~April 13, 2003~~May 14, 2003. unless otherwise specified. Following the adoption of the Order and prior to the full implementation of the Watershed URMP, the Copermittees shall at a minimum collectively implement the provisions and commitments of the proposed DAMP submitted in September 2000.

L. SUBMITTAL OF WATERSHED URMP DOCUMENT

The written account of the overall watershed program to be conducted by each Copermittee during the remaining life of this Order is referred to as the "Watershed URMP Document". The Watershed URMP is conducted concurrently with the Jurisdictional URMP.[6]

1. The Watershed URMP document shall state how the member Copermittees within each watershed will develop and implement the requirements of the Watershed URMP section J. of this Order. The Watershed URMP document shall include:

    (1) A completed watershed map
    (2) A water quality assessment of the San Juan Creek Watershed Management Area within Orange County and watershed monitoring needed
    (3) Prioritization of water quality problems within Orange County in the San Diego Region
    (4) Recommended activities (short and long term) to be conducted jointly by the Copermittees and a timeline for implementation
    (5) Individual Copermittee implementation responsibilities and time schedules for implementation
    (6) A description of watershed public participation mechanisms
    (7) A description of watershed education mechanisms
    (8) A description of the mechanism and implementation schedule for watershed-based land use planning
    (9) A strategy for assessing the short-term effectiveness of the Watershed URMP

[6] As the Copermittees jointly revise and implement the submitted proposed DAMP and each Copermittee revises and implements its jurisdictional level program to satisfy the requirements of this Order, it is expected that many activities will be conducted on both a jurisdictional level (e.g., enforcement of local ordinances and permits) and a watershed level. Implementation of the Watershed URMP is not meant to replace, but to expand and complement implementation of the Jurisdictional URMP. For this reason, it is necessary to report management activities on both levels. This can be accomplished either by submitting both a Jurisdictional URMP Annual Report and a Watershed URMP Annual Report or by submitting a single Watershed URMP Annual Report that contains two separate sections (i.e., watershed activities and jurisdictional activities). Information need only be reported once (to the extent something is covered in the Watershed URMP Annual Report, it need not be covered again the Jurisdictional URMP Annual Report).

(10)A strategy for assessing the long-term effectiveness of the Watershed URMP
(11)A program to address common interest areas and homeowners associations

2. The Principal Permittee(s) shall submit the Watershed URMP document to the SDRWQCB by ~~April 13, 2003.~~ May 14, 2003.

3. Universal Reporting Requirements.

   All Watershed URMP submittals shall include an executive summary, introduction, conclusion, recommendations, and signed certified statement. Each Copermittee shall submit a signed certified statement covering its responsibilities in the Watershed URMP Document. The Principal Permittee(s) shall submit a signed certified statement referring to its responsibilities in the Watershed URMP Document and the section covering common activities conducted collectively by the Copermittees as produced by the Principal Permittee(s).

M. SUBMITTAL OF WATERSHED URMP ANNUAL REPORT

1. Each Watershed URMP Annual Report shall be a documentation of the activities conducted by watershed member Copermittees during the previous annual reporting period to meet the requirements of all components of the Watershed URMP section of this Order. Each Watershed URMP Annual Report shall, at a minimum, contain the following:

   a. Comprehensive description of all activities conducted by the watershed member Copermittees to meet all requirements of each component of Watershed URMP section J. of this Order
   b. A section covering common activities conducted collectively by the Copermittees, to be produced by the Principal Permittee(s)
   c. Public participation mechanisms utilized during the Watershed URMP implementation process;
   d. Mechanism for watershed-based land use planning;
   e. Assessment of effectiveness of Watershed URMP;
   f. Proposed revisions to the Watershed URMP;
   g. A summary of watershed effort related data not included in the annual monitoring report (e.g., special investigations); and
   h. Identification of water quality improvements or degradation.

2. The Principal Permittee(s) shall submit the Watershed URMP Annual Report to the SDRWQCB by January 31, 2004 and every January 31 thereafter. The reporting period for these annual reports shall be the previous fiscal year. For example, the report submitted January 31, 2004 shall cover the reporting period July 1, 2002 to June 30, 2003.

3. Universal Reporting Requirements

   All Watershed URMP submittals shall include an executive summary, introduction, conclusion, recommendations, and signed certified statement. Each Copermittee shall submit a signed certified statement covering its responsibilities in the Watershed URMP Annual Report. The Principal Permittee(s) shall submit a signed certified statement referring to its responsibilities in the Watershed URMP Annual Report and the section covering common activities conducted collectively by the Copermittees as produced by the Principal Permittee(s).

N. PROGRAM MANAGEMENT

1. The Copermittees shall implement the Program Management activities and commitments as described in section 2 (Program Management) of the proposed DAMP.

O. PRINCIPAL PERMITTEE RESPONSIBILITIES

Within 90 days of adoption of this Order, the Copermittees shall designate the Principal Permittee(s) and notify the SDRWQCB of the name(s) of the Principal Permittee(s). The Principal Permittee(s) may require the Copermittees to reimburse the Principal Permittee(s) for reasonable costs incurred while performing coordination responsibilities and other related tasks. The Principal Permittee(s) shall, at a minimum:

1. Be responsible for implementing or coordinating the implementation of the Program Management activities and commitments described in section 2 (Program Management) of the proposed DAMP.

2. Serve as liaison(s) between the Copermittees and the SDRWQCB on general permit issues.

3. Coordinate permit activities among the Copermittees and facilitate collaboration on the development and implementation of programs required under this Order;

4. Coordinate the joint development by all of the Copermittees of standardized format(s) for all reports required under this Order (e.g., annual reports, monitoring reports, fiscal analysis reports, and program effectiveness reports, etc.). The standardized reporting format(s) shall be used by all Copermittees and shall include protocols for electronic reporting. The Principal Permittee(s) shall submit the standardized format(s) to the SDRWQCB as part of the unified Jurisdictional URMP document no later than **365 days after adoption** of this Order**.**

5. Integrate individual Copermittee documents and reports required under this Order into single unified documents and reports for submittal to the SDRWQCB as described below. If a reporting date falls on a non-working day or State holiday, then the report is to be submitted on the following working day.

   a. Unified Jurisdictional URMP Document – The Principal Permittee(s) shall submit the unified Jurisdictional URMP document in its entirety (including the model SUSMP) to the SDRWQCB within 365 days of the adoption of this Order.

      The Principal Permittee(s) shall be responsible for producing the sections of the unified Jurisdictional URMP document submittals covering common activities conducted by the Copermittees. The Principal Permittee(s) shall be responsible for the development and production of a stand alone Model SUSMP document meeting the requirements of section F.1.b.(2). of this Order. The Principal Permittee(s) shall also be responsible for collecting and assembling the individual Jurisdictional URMP document submittals covering the activities conducted by each individual Copermittee.

   b. Unified Jurisdictional URMP Annual Reports – The Principal Permittee(s) shall submit unified Jurisdictional URMP Annual Reports to the SDRWQCB by January 31 of each year, beginning on **January 31, 2003**. The reporting period for these annual reports shall be the previous fiscal year. For example, the report submitted January 31, 2003 shall cover the reporting period July 1, 2001 to June 30, 2002.

      The Principal Permittee(s) shall be responsible for producing the section of the unified Jurisdictional URMP Annual Reports covering common activities conducted by the Copermittees. The Principal Permittee(s) shall also be responsible for collecting and assembling the individual Jurisdictional URMP Annual Reports covering the activities conducted by each individual Copermittee.

c. Watershed URMP Document – The Principal Permittee(s) shall prepare and submit the Watershed URMP document to the SDRWQCB by **April 13, 2003**.

d. Watershed URMP Annual Report - The Principal Permittee(s) shall prepare and submit the Watershed URMP Annual Reports to the SDRWQCB by January 31 of each year, beginning on **January 31, 2004**. The reporting period for these annual reports shall be the previous fiscal year. For example, the report submitted January 3, 2004 shall cover the reporting period July 1, 2002 to June 30, 2003.

e. Receiving Waters Monitoring and Reporting Program - The Principal Permittee(s) shall be responsible for the production and submittal of the Previous Monitoring and Future Recommendations Report. The report shall be submitted to the SDRWQCB within 180 days of adoption of this Order.

f. Receiving Waters Monitoring and Reporting Program - The Principal Permittee(s) shall be responsible for the development and production of the Receiving Waters Monitoring Program as it is outlined in Attachment B. The Principal Permittee(s) shall submit the Receiving Waters Monitoring Program to the SDRWQCB within 180 days of adoption of this Order.

g. Receiving Waters Monitoring and Reporting Program – The Principal Permittee(s) shall be responsible for coordinating the joint development by all of the Copermittees of monitoring reporting formats (Section O.3) and for implementing the Receiving Waters Monitoring Program as outlined in Attachment B by June 1, 2002.

h. Receiving Waters Monitoring and Reporting Program - The Principal Permittee(s) shall submit the Receiving Waters Monitoring Annual Report to the SDRWQCB on January 31 of each year, beginning on January 31, 2003.

i. Formal Agreements/Standardized Formats - The Principal Permittee(s) shall submit to the SDRWQCB, within 365 days of adoption of this Order, a formal agreement between the Copermittees which provides a management structure for meeting the requirements of this Order (as described in section N.1.a.). The Principal Permittee(s) shall submit to the SDRWQCB, within 365 days of adoption of this Order, standardized formats for all reports and documents required under this Order.

j. Dry Weather Monitoring - The Principal Permittee(s) shall collectively submit the Copermittees' dry weather monitoring maps and procedures to the SDRWQCB within 365 days of adoption of this Order.

P. RECEIVING WATERS MONITORING AND REPORTING PROGRAM

1. Pursuant to California Water Code section 13267, each Copermittee shall comply with the Receiving Waters Monitoring and Reporting Program for Order No. 2001-193 contained in **Attachment B** of this Order.

2. Each Copermittee shall also comply with standard provisions, reporting requirements, and notifications contained in **Attachment C** of this Order.

Q. TASKS AND SUBMITTAL SUMMARY

The tasks and submittals required under this Order are summarized in Tables 5 and 6 below:

Table 5. Task Summary

Task No.	Task	Permit Section	Completion Date	Frequency

1	Identify discharges not to be prohibited and BMPs required for treatment of discharges not prohibited	B.3.	365 days after adoption of Order	One Time
2	Examine field screening results to identify water quality problems resulting from non-prohibited non-storm water discharges, including follow-up of problems	B.5	January 31, 2003	Annually
3	Notify SDRWQCB of discharges causing or contributing to an exceedance of water quality standards	C.2.a.	Immediate	As Needed
4	Establish adequate legal authority to control pollutant discharges into and from MS4	D.1.	365 days after adoption of Order	One Time
5	Assess General Plan to incorporate water quality and watershed protection principles	F.1.a.	365 days after adoption of Order	One Time
6	Include Development Project Requirements in local permits	F.1.b.(1).	365 days after adoption of Order	One Time
7	Develop Model SUSMP	F.1.b.(2).	365 days after adoption of Order	One Time
8	Develop and adopt individual local SUSMP and amended ordinances	F.1.b.(2).	180 days after development of Model SUSMP	One Time
9	Implement individual jurisdictional SUSMP	F.1.b.(2).	180 days after approval of Model SUSMP by SDRWQCB	Continuous
10	Revise environmental review processes	F.1.c.(1).	365 days after adoption of Order	One Time
11	Conduct education program for municipal planning and development review staff, project applicants, developers, contractors, community planning groups, and property owners	F.1.d.(1). And F.1.d.(2).	365 days after adoption of Order	Ongoing
12	Implement all requirements of Construction Component of Jurisdictional URMP	F.2.a. – F.2.j.	365 days after adoption of Order	Ongoing
13	Notify SDRWQCB of non-compliant construction sites that pose a threat to human or environmental health	F.2.i	Within 24 hours of discovery of noncompliance	As Needed
14	Implement all requirements of Municipal Existing Development Component of Jurisdictional URMP	F.3.a.(1). – F.3.a.(8).	365 days after adoption of Order	Ongoing
15	Implement all requirements of Industrial Existing Development Component of Jurisdictional URMP	F.3.b.(1) – F.3.b.(8)	365 days after adoption of Order	Ongoing
16	Notify SDRWQCB of non-compliant industrial sites that pose a threat to human or environmental health	F.3.b.8	Within 24 hours of discovery of noncompliance	As Needed
17	Implement all requirements of Commercial Existing Development Component of Jurisdictional URMP	F.3.c.(1) – F.3.c.(5)	365 days after adoption of Order	Ongoing
18	Implement all requirements of Residential Existing Development Component of Jurisdictional URMP	F.3.d.(1) – F.3.d.(4)	365 days after adoption of Order	Ongoing
19	Implement all requirements of Education Component of Jurisdictional URMP	F.4.a. – F.4.c.	365 days after adoption of Order	Ongoing
20	Implement all requirements of Illicit Discharge Detection and Elimination Component of Jurisdictional URMP	F.5.a. – F.5.i.	365 days after adoption of Order	Ongoing
21	Develop a plan to manage urban runoff from common interest areas, private roads, drainage facilities, and other components of the storm water conveyance system, including those managed by homeowners associations.	F.6	365 days after adoption of Order	One Time
22	Implement all requirements of Public Participation Component of Jurisdictional URMP	F.7.	365 days after adoption of Order	Ongoing
23	Develop strategy for assessment of Jurisdictional URMP effectiveness	F.8.a.	365 days after adoption of Order	One Time

24	Assess Jurisdictional URMP effectiveness	F.8.b.	January 31, 2003	Annually
25	Develop strategy for fiscal analysis of urban runoff management program	F.9.	365 days after adoption of Order	One Time
26	Conduct fiscal analysis of urban runoff management program in entirety	F.9.	January 31, 2003	Annually
27	Develop and implement Watershed URMP	J.2.	~~January 31, 2003~~ May 14, 2003	Ongoing
28	Implement Program Management activities and commitments in proposed DAMP	N.1	Immediately	Ongoing
29	Develop standardized formats for all required reports of this Order	O.3 .	365 days after adoption of Order	One Time
30	Develop Receiving Waters Monitoring Document	Attachment B	180 days after adoption of Order	One Time
31	Implement Receiving Waters Monitoring Program	Attachment B	Upon approval by the SDRWQCB	Continuous
32	Develop Dry Weather Monitoring Program Document	Attachment E	365 days after adoption of Order	One Time
33	Conduct Dry Weather Monitoring Program	Attachment E	May 1, 2003	Annually
34	Complete NPDES applications for issuance of renewal watershed-based permits	Attachment C	At least 180 days prior to expiration of Order	One Time
35	Notify SDRWQCB of any incidence of non-compliance with this Order that poses a threat to human or environmental health.	R.1, B.6 of Attachment C	Within 24 hours of discovery of non-compliance	As Needed
36	Designate Principal Permittee(s) and notify SDRWQCB	O.	90 days after adoption of the Order	One Time

Table 6. Submittal Summary

Submittal No.	Submittal	Permit Section	Completion Date	Frequency
1	Submit identification of discharges not to be prohibited and BMPs required for treatment of discharges not prohibited	B.3.	365 days after adoption of Order	One Time
2	Report on discharges causing or contributing to an exceedance of water quality standards, including description of BMP implementation	C.2.a.	With individual Jurisdictional URMP Annual Reports	As Needed
3	Submit Certified Statement of Adequate Legal Authority	D.2.	365 days after adoption of Order	One Time
4	Submit certified statement if particular high priority construction sites are to be inspected monthly rather than weekly in the rainy season	F.2.g.(2).	365 days after adoption of Order and as needed thereafter	As Needed
5	Submit report on non-compliant construction sites that pose a threat to human or environmental health.	F.2.i.	Within 5 Days of discovery of non-compliance	As Needed
6	Submit report on non-compliant industrial sites that pose a threat to human or environmental health.	F.3.b.8.	Within 5 days of discovery of non compliance	As Needed
7	Submit to Principal Permittee(s) individual Jurisdictional URMP document covering requirements for all Components	H.1.a.	Prior to 365 days after adoption of Order (Principal Permittee(s) specifies date of submittal)	One Time
8	(This space reserved).			
9	Principal Permittee(s) shall submit to SDRWQCB unified Jurisdictional URMP document covering requirements for all Components, including Model SUSMP	H.2.a.	365 days after adoption of Order	One Time
10	(This space reserved).			
11	Submit to SDRWQCB local SUSMP and	F.1.b.(2). and	180 days after	One Time

	amended ordinances	H.1.d.	development of Model SUSMP	
12	Submit to Principal Permittee(s) individual Jurisdictional URMP Annual Report	I.1.	Prior to January 31, 2003 (Principal Permittee(s) specifies date of submittal)	Annually
13	Principal Permittee(s) shall submit 1st unified Jurisdictional URMP Annual Report to SDRWQCB	I.2.	January 31, 2003	One Time and Annually Thereafter
14	Submit to Principal Permittee(s) Watershed Specific URMP document	L.1.	Prior to ~~January 31, 2003~~ May 14, 2002 (Principal Permittee(s) specifies date of submittal)	One Time
15	Principal Permittee(s) shall submit Watershed URMP document to SDRWQCB	L.2.	~~April 13, 2004~~ May 14, 2003	One Time
16	Principal Permittee(s) shall submit 2nd unified Jurisdictional URMP Annual Report to SDRWQCB	I.2.	January 31, 2004	One Time
17	(This space reserved).			
18	Principal Permittee(s) shall submit 1st Watershed URMP Annual Report to SDRWQCB	M.2.	January 31, 2004	One Time and Annually Thereafter
19	Principal Permittee(s) shall submit 3rd unified Jurisdictional URMP Annual Report to SDRWQCB	I.2.	January 31, 2005	One Time
20	Principal Permittee(s) shall submit 2nd Watershed URMP Annual Report to SDRWQCB	M.2.	January 31, 2005	One Time
21	Principal Permittee(s) shall submit 4th unified Jurisdictional URMP Annual Report to SDRWQCB	I.2.	January 31, 2006	One Time
22	Principal Permittee(s) shall submit 3rd Watershed URMP Annual Report to SDRWQCB	M.2.	January 31, 2006	One Time
23	Principal Permittee(s) shall submit 5th unified Jurisdictional URMP Annual Report to SDRWQCB	I.2.	January 31, 2007	One Time
24	Principal Permittee(s) shall submit standardized formats for all reports required under this Order	O.3 .	365 days after adoption of Order	One Time
25	Principal Permittee(s) submits Receiving Waters Monitoring Program Document	Attachment B	180 days after adoption of Order	One Time
26	Principal Permittee(s) submits Receiving Waters Monitoring Annual Report to SDRWQCB	Attachment B	January 31, 2003	Annually
29	Submit to Principal Permittee(s) Dry Weather Monitoring Program Document	Attachment E	Prior to 365 days after adoption of Order	One Time
30	Principal Permittee(s) submits collective Dry Weather Monitoring Program Documents	Attachment E	365 days after adoption of Order	One Time
31	Submit to Principal Permittee(s) Dry Weather Monitoring Program results as part of individual Jurisdictional URMP Annual Report	Attachment E	Prior to January 31, 2003, as part of individual Jurisdictional URMP Annual Report	Annually
32	Principal Permittee(s) shall submit NPDES applications for issuance of renewal watershed-based permits	Attachment C	At least 180 days prior to expiration of this Order	One Time
33	Submit reports of any incidence of non-compliance with this Order that poses a threat to human or environmental health.	R.1, B.6 of Attachment C	Within 5 days of discovery of non compliance	As Needed

R. STANDARD PROVISIONS, REPORTING REQUIREMENTS AND NOTIFICATIONS

1. Each Copermittee shall comply with Standard Provisions, Reporting Requirements, and Notifications contained in **Attachment C** of this Order. This includes 24 hour/5day reporting requirements for any instance of non-compliance with this Order as described in section B.6 of Attachment C.

2. All plans, reports and subsequent amendments submitted in compliance with this Order shall be implemented immediately (or as otherwise specified) and shall be an enforceable part of this Order upon submission to the SDRWQCB. All submittals by Copermittees must be adequate to implement the requirements of this Order.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on ***November 13, 2001.***

_____
John H. Robertus
Executive Officer